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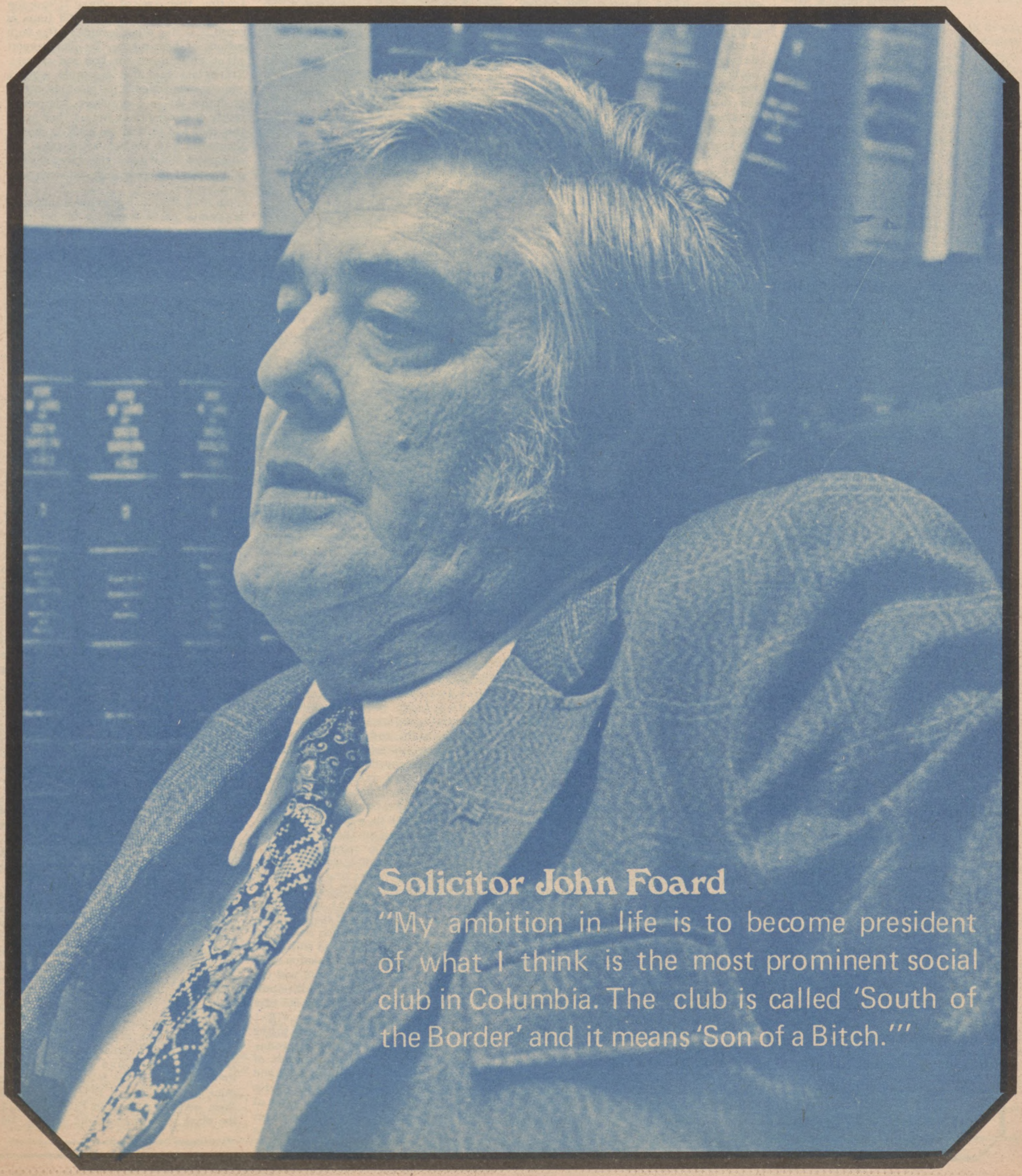
SOUTH CAROLINA'S NEWSWEEKLY

OSCEOLA



Solicitor John Foard

"My ambition in life is to become president of what I think is the most prominent social club in Columbia. The club is called 'South of the Border' and it means 'Son of a Bitch.'"

osceola

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Readers Write...

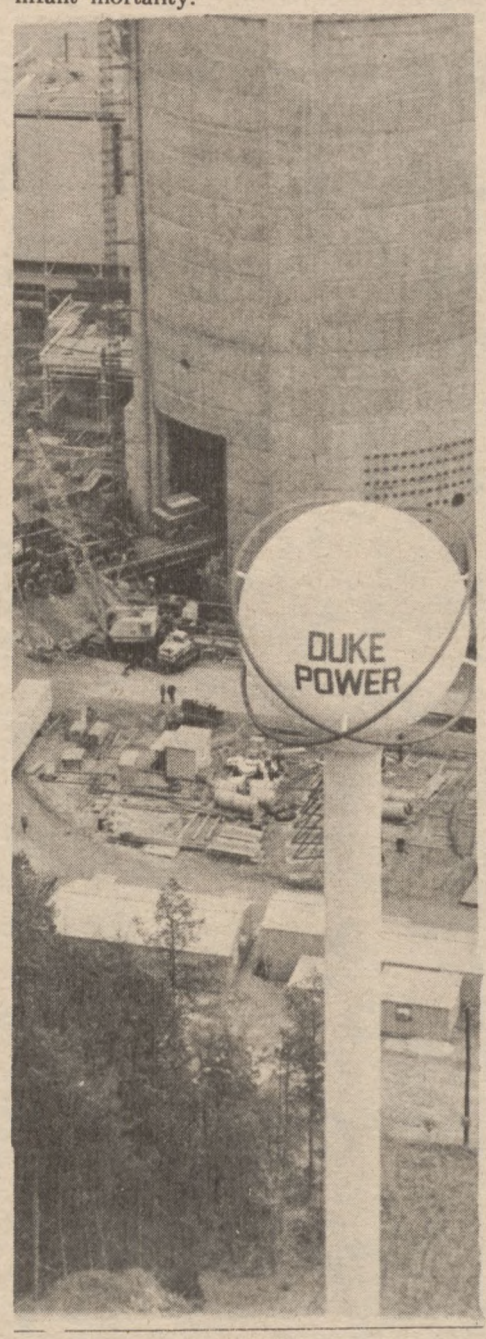
Dr. Kenneth Gregg, assistant professor of biology at Winthrop appeared two weeks ago at a Public Service Commission hearing in Columbia to oppose the operation of a nuclear generating station proposed for Lake Wylie in York County. On July 31 and August 1, he attended a special Governor's Committee in Aliquippa, Pennsylvania, which is investigating allegations made by radiological physicist Dr. Ernest J. Sternglass of the University of Pittsburgh School of Medicine. Sternglass stated that on two occasions, there were releases of radiation from the Shippingport Nuclear Station near Aliquippa far exceeding the releases permitted by the Atomic Energy Commission (AEC) regulations. Dr. Sternglass also presented data indicating the health of the surrounding area has been damaged by the releases. The basis of postulating such a link between releases of radioactive elements and a public health risk was to show that diseases and death rates increased following the peaks of the plant releases. As Dr. Gregg points out, "This is the kind of study that can never absolutely prove the causal relationship between environmental radioactivity and health risk—just as it never can be proven absolutely that cigarettes cause lung cancer. The most that can be hoped for is to show that the probability is sufficiently great that some important public decisions should be made about reducing the risk."

Most of the brief wire service reports published in South Carolina newspapers emphasized the numerous reports offered by the AEC in an attempt to refute Sternglass' findings. Dr. Gregg offers this fuller account.

Let me say at the outset that it was gratifying, almost exhilirating, to realize that the committee intended to be as objective as possible and to learn the truth about the allegations. Throughout the Pennsylvania hearing the committee did a superb job of asking penetrating questions and discovering weak points in the arguments presented. It was gratifying especially because other hearings, such as those held by the AEC, are often not attempts to seek the truth, but are window dressing designed to give the appearance of public participation. I must also say that I went to Pennsylvania with a number of questions in mind about the allegations made by Dr. Sternglass. I did not go prepared to believe everything he alleged but to hear what kinds of criticism his work would bring from others.

Dr. Sternglass began by presenting some of the evidence that low-level radiation can cause detectable damage. X-rays were not considered damaging for 50 years after they had been in use, he said, because no effects had ever been observed. However, in 1956 and 1958, Alice Stewart showed that as little as a few hundred millirems given to a mother during pregnancy could have significant effects on the fetus—resulting in a doubling of childhood cancers and leukemia in the first 10 years of life. If the x-rays were given during the sensitive first trimester of pregnancy, the rates of cancer were increased about ten times. Another study has shown that all causes of death in the first ten years are doubled by just two or three diagnostic x-rays during pregnancy.

Dr. Sternglass presented evidence that fallout from weapons testing resulted in exposures of 10-50 millirems externally, but caused internal doses of 10-20 times as much because certain organs concentrate certain radioactive elements. Leukemia, for example, increased two to three times during the period of weapons testing after Hiroshima. This could be due to effects on the fetuses. Strontium-90 is present in fallout and the body cannot distinguish between this and calcium—therefore Strontium-90 goes to the bones. Since blood cells are made in the inside of bones, Strontium is in a position to irradiate the cells that make blood cells. This can result in the over-production of white blood cells in the disease known as leukemia. The concentrated presence of other elements such as Yttirum in organs such as the pituitary and thyroid are believed to cause the premature births and higher rates of infant mortality.



Dr. Sternglass then reviewed evidence he has published in his book, *The Dangers of Low Level Radiation*, which shows that around some nuclear installations where there have been significant releases of radioactivity—either gaseous or liquid—he has been able to document increased rates of leukemia and infant mortality following the releases. This occurred, for example, in McKeesport, Pennsylvania, near Pittsburgh. The Waltz Mills Nuclear Reactor twenty miles away had some fuel rods melt, resulting in the release of gaseous and particulate radioactive elements which rained out in the land and ended up in the river. McKeesport gets its drinking water from the Allegheny River which received a large amount of radioactivity. Infant mortality rose two times and then dropped back to where it had been before the release. Sternglass followed the pulse of radioactivity all the way down the Ohio river for 160 miles by looking at increases in infant mortality in those towns which got their drinking water from the river. The Utility Council from the City of Pittsburgh testified that the utility did not warn cities downstream. He said that if they had been warned, they could have gotten water from some of their alternate sources and would have avoided exposing the population while the pulse of radioactivity flowed past the cities. Incidentally, towns near McKeesport which did not drink the water did not have the increases in infant mortality.

To summarize the data relating to the Shippingport area, on at least two occasions during the last 10 years, amounts of radioactivity in the Ohio River above and below the Shippingport plant have greatly exceeded the legal limits of the state of Pennsylvania and the AEC. Sternglass alleges that liquid and gaseous releases from Shippingport caused these high levels. Measurements of the radioactivity in the river were made by the Pennsylvania State Department of Health, the Nuclear Utilities Services Corporation (NUS) and the Ohio Environmental Protection Agency. NUS, in a preoperational survey for a new nuclear station at Shippingport, measured Strontium-90 in the soil and milk around Shippingport and found high levels in 1964-65 and in 1971. Irvin Michelson, Director of Environmental Health and Safety Research Associates, a New York firm which does testing for Consumers' Union, also testified to the high levels of radioactivity in the diet in Pittsburgh during the time. High levels of iodine-131 were also reported during 1971, (130-300 times as much as during other periods.) After both periods of high release, the Shippingport plant shut down for fuel rod changes. Sternglass said that he would produce witnesses employed in the plant just before or during the 1965 shutdown, who would testify that conditions were so bad inside that they had to wear gas maks to protect themselves from the radioactive gases. The committee said it would check the daily logs of the plant to see if such condiions were documented.

In 1972, Western Pennsylvania childhood leukemia cases were up 50 per cent, following a rise of 50 per cent in Strontium-90 in the milk in the Pittsburgh area in 1971 (relative to the preceding four years). In Beaver County, where the plant is located, leukemia and other cancers of lymphatic and blood-forming systems rose nearly 70 per cent in the ten-year period after the plant's start (1957-67). Cancers from all causes rose to a peak of 30 per cent above pre-operational levels the next year (1968). Yet at this time, cancer rates in Pennsylvania as w hole rose only nine per cent. The committee criticized Sternglass for comparing one county to Pennsylvania as a whole. One could expect some counties to be above and some below the Pennsylvania average. (No data was available for other counties). The committee stressed, however, that criticism of the methods used do not necessarily alter the conclusion. More study by properly funded agencies is obviously needed.

Mortality due to cancer in East Liverpool, Ohio, just downstream from Midland, Pennsylvania (nearest town to Shippingport) was 160 per 100,000 between 1954 and 1958—about the same as for Ohio as a whole. It rose sharply to a peak of 240 per 100,000 by 1963 (the plant started in 1957) and to a second still larger peak of 260 in 1971. Thus, while cancer death rates rose only four per cent relative to the five-year period prior to the start of Shippingport, East Liverpool rose 67 per cent. In the balance of Columbiana County where East Liverpool is, there was a decline in cancer mortality rates to below levels for Ohio—that decline was in the towns that did not use the Ohio River for drinking water. In Beaver County as a whole, cancer mortality rose 39 per cent between 1958 and 1968, while the heavily polluted industrial city of Steubenville, Ohio, showed a cancer mortality rise of only 25 per cent. Pittsburgh, which gets 33 per cent of its milk from Beaver County, had a rise of 31 per cent cancer mortality.

Several witnesses appeared on both sides of the question, but the AEC presentation included all the major points brought out by those who did not believe in Sternglass' allegations. The AEC stated that it carried out a number of studies to test the truth of Sternglass' allegations (these have been mentioned in the newspapers). As I listened to the results of these studies, I was struck by the fact that they really had little to say. The first study was an aerial radiation survey over the plant in February, 1973. No excess radiation was found. This study was irrelevant because the releases in question came in 1964-65 and 1971. Naturally, if there were no releases in February, 1973, the plane would have found nothing. The

(Continued on page 12)

Cheap Shots

If South Carolina's state legislators are serious about shortening the length of their stay in Columbia next session, they're gonna have to cut back on legislative meetings in order to meet the heavy dinner/party circuit hosted by those generous, fun-loving lobbyists.

With more than half the lobbyists registered at the Secretary of State's office having turned in their expense reports, more than $80,000 was reported spent catering to the nourishment -- solid and liquid - of our legislators. It's a little hard to figure up, given the haphazard recording system of the Secretary of State's office, but it's pretty interesting. (Lobbyists are apparently not required to mention who they worked for on the expense sheets and frequently a researcher must thumb through the single copy of the(often handwritten) lobbyist register to find their employers.

You can tell what bills were important this session by looking at the interests paying the lobbyists. William P. Baskin, a Bishopville attorney, reported a total expenses of $2,289.16 including $829 for hotel bills and $541 for "legislative services." He was retained by the National Association of Independent Insurers in relation to legislation concering "automobile liability insurance and related subjects including highway safety." Don't know about highway safety legislation last session, but the no-fault bill and even Governor West's weaker auto insurance bill were defeated. Ray Ambrose, lobbyist for the General Telephone Company of the Southeast, was pretty frank about his persuasive tactics: he said he spent $698.84 for "expense for meals, cocktails, and golf outings."

W.M. Shand, Jr., lobbyist for the U.S. Brewers Association, said he spent $1,260.64 for beer given to legislators, meals and entertainment at a party given at his lake home. (The House spent two weeks debating a beer franchising bill which was basically a fight between large and small distributors.) The South Carolina Bankers Assocation was another big spender, racking up nearly $10,000 in expenses for the session. The S.C. Optometric Association offered the model expense report, one which volunteered information that should be required from all in the future. Its report offered specific information on which legislation (by number and explanation of its potential effects on the group) it had concerned itself with. Or maybe the lobbyists and interests they represent would rather the public not have the 20-20 vision on their affairs the Optometric Association is offering.

Most of the scores are in and it looks like the winners in this year's South Carolina General Assembly Lobbyist Fee/Expense Contest are Allied Gulf Nuclear Services and the Columbia law firm of Roberts, Jennings, and Thomas. Allied Gulf paid the firm $12,000 in legal fees for representing its interests before the General Assembly, excluding another $900 in expenses. Attorney Carlisle Roberts has been legal representative for Allied Chemical in South Carolina for 20 years.

Allied Gulf Nuclear Services, whose controversial plant being built near Barnwell will recycle nuclear wastes and possibly store them above ground, is one of two commercial nuclear fuel reprocessing plants presently planned for South Carolina. There are no others in operation in the U.S. Its clients will send used nuclear fuel from all over the country and from abroad to be treated and readied for re-use. Duke Power Company, for example, has already contracted with Allied Guld to handle wastes from Duke's proposed but yet-unapproved plant on Lake Wylie.

Some local opponents of that plant raised their eyebrows two weeks ago and wondered aloud why such organized groups as the Columbia Environmental Coalition, the Audubon Society, and the Sierra Club had not offered more resistance to South Carolina's proliferating nuclear industry (None of these groups appeared at the recent Public Service Commission public hearings on the Lake Wylie plant). They pointed out (as reported in a July 13 *Osceola* article) that Ann Jennings, president of the Columbia Environmental Coalition, is married to Croft Jennings, of Roberts, Jennings, and Thomas. (All members of the firm are officially registered as lobbyists.) Tom Mason, one of fifteen directors of the Columbia Audubon Society, has fequently done public relations work for Allied Gulf Nuclear Services. Ms. Jennings said recently that she acknowledges the apparent potential conflict of interest and therefore tries to disqualify herself from nuclear issues.

Brion Blackwelder, an officer of the Columbia Environmental Coalition, offered a rebuttal to the criticism. He said the Environmental Coalition has little money at this time and therefore cannot afford to fight the legal battle necessary in opposing these huge companies. Nor, Blackwelder said, does the coalition have the expertise in nuclear affairs to fight such a battle. He pointed out that the Environmental Coalition has in the past publicly opposed the creation of nuclear wastes, and thereby the operation of today's nuclear plants. He also noted that the group had purchased and distributed 75 copies of the nationally known pamphlet "The Case for a Nuclear Moratorium."

"Sssh. This is supposed to be secret..."

We're aware of the old maxim about never underestimating your enemy and we think Senator Strom Thurmond ought to give it some consideration. For the past several weeks, Thurmond has heard hours of testimony before the Senate Armed Services Committee concerning the Pentagon's admission under pressure that it has been bombing Cambodia for years and lying to the public about it by falsifying documents about bombing runs. While many critics of the Nixon administration have asserted that the falsification of official documents was done to deceive the war-weary American public and support the Administration's claims of winding down the war, Thurmond says he thinks differentlv.

He said last week there was no attempt to "deliberately deceive Congress or the American people. The Pentagon wasn't trying to deceive anybody but the enemy." Now that brings up two possibilities. Perhaps Thurmond thinks that if the Cambodians couldn't read about the bombing in the *New York Times* they wouldn't know what those things falling from planes and exploding all around them were. Or maybe he thinks at least they wouldn't know who was dropping them. Thurmond may not think much of the Indochinese mentality, but it looks to us like he may be underestimating it. And if he offers such ridiculous comments as the above, he must not think much of the mentality of the South Carolina voters who put him where he is.

Erratum

The source of two photos which appeared in the July 27, 1973 issue of Osceola (Volume 2, Number 4) was not properly credited. The photos, which appeared with a story concerning bail bonding in South Carolina, came from a publication entitled "The Emerging Rights of the Confined," published by the S.C. Department of Corrections.

We apologize to the Department and our readers for this error.

Osceola's news item of the week comes out of Chicago this time on the news wires of the Associated Press:

First gasoline, then beef, and now the toilet shortage is on America.

The shortage may delay the occupancy of the upper floors in the new Standard Oil Building in Chicago, according to the contractor.

"Toilets are impossible to get," Lynn Krause, president of the Chicago Home Builders Association, said Thursday. "They are just not available."

A spokesman for one toilet manufacturer says his company is trying to keep up with orders.

"We're at full capacity in both of our plants and we plan to open a new pottery plant in Texas," said James Harff, director of public affairs for Kohler Plumbing Fixtures.

"The entire plumbing industry is faced with a tremendous demand caused by the the recent housing construction boom, he said.

Harff said the demand is the major factor in the toilet shortage, but a strike at American Standard, Inc., one of the nation's largest suppliers of plumbing fixtures, does not help matters. The strike is two months old and no new talks are scheduled.

Although the housing boom is expected to slow down in early 1974, Harff said a change in consumer attitudes will keep demand relatively high.

"People want bigger bathrooms and more of them," he said. "A lot of men want two sinks in the bathroom, one for themselves and one for their wives."

The bathroom is now considered a major room in the house, he said.

It's no surprise when politicians and government organizations turn their mistakes into success stories, but State Superintendent of Education Cyril B. Busbee set an example last week which might serve as a model for his bureaucratic peers.

The Department of Health, Education, and Welfare informed the State Department of Education last week that the state will be required to repay almost $2.8 million in Elementary and Secondary Education Act—Title I funds which HEW claims were misspent. Although the Title I monies were appropriated to fund programs which would supplement the education of disadvantage children, HEW maintains that many of the state's school districts have used the funds for a variety of other purposes.

Responding to the charges, Busbee said the state has no intention of repaying the money to the federal government "because we don't owe it." Busbee told the Associated Press that "we don't accept the federal audit that has arrived at this figure."

"Of course, in any operation of this size, there will be audit exceptions," Busbee said, "We've taken some of these to task ourselves." The superintendent then cited a "recent crackdown", as the AP put it, on the incorrect usage of such funds in the Bowman School District of Orangeburg County.

Here's where Busbee turns the sow's ear into the silk purse. In a recent issue, *Osceola* interviewed William G. Harden, the Bowman Title I coordinator who was fired after he made public the fact that the district was misusing the federal monies. During the interview, Harden repeatedly stated that he had complained to the state department for a year and a half and that his complaints had been ignored. Only after Harden complained directly to HEW did State Title I Coordinator Jack Seurynck conduct the audit which confirmed Harden's charges.

We have filed Dr. Busbee's comment under "Protective Reaction."

What's John Foard Thinking These Days?

by John Norton

A lot of people think Fifth Circuit Solicitor John Foard is a son of a bitch. He has been characterized by his detractors as a sensationalist, a puritan, an anti-intellectual—a powerful man who has allowed his conservative philosophy to permeate the office of solicitor.

His supporters on the other hand consider him something close to a defender of righteousness, a man dedicated to the protection of the citizenry against the forces of crime and evil.

Foard is probably some of both. One associate recently stated that he thought Foard viewed himself as "The Protector," particularly in matters related to young people. Certainly, Foard has been a center of controversy for several years. In 1970, he succeeded in closing down the anti-war UFO Coffeehouse as a public nuisance, an action which many people felt was prompted more out of a disagreement with the politics of the operators than by a genuine belief that the coffeehouse was actually a nuisance. More recently, Foard has battled with the University of South Carolina administration, accusing the President of incompetence, and at one point, lobbying for his resignation. Foard has also been viewed by some as a leader in the fight against smut, particularly after he prosecuted the operator of an adult book store in Columbia last year, and earlier, when he managed to halt a showing of the film "I Am Curious (Yellow)."

We went into the interview with Foard last week expecting to find a man to fit the caricatures which have been ascribed to him. And while we did find an individual secure in his own power and often antagonistic towards people who disagree with his way of doing things, we also found an individual too complex to be easily assigned a particular label. We were surprised, for example, at his professed attitude toward pornography—"it's a matter of opinion"— and his concern that a small group of censors not be allowed to infringe on the First Amendment rights of citizens who wish to view adult materials. His viewpoints concerning the system of criminal justice were also not what we expected. We have held out most of his commentary in this area because it dealth with Richland County's pre-trial intervention project and will be used in an upcoming article on that subject, but to summarize briefly, Foard expressed the opinion that the present criminal justice system was antiquated, that individuals should not be required to carry the burden of a criminal conviction all their lives and that alternatives to imprisonment (which Foard feels does little more than produce drug addicts and "male prostitutes) "must be found".

We're not saying that John Foard is a great human being. We spent only three hours with him—perhaps if we had been aroundlonger, we too might conclude that he deserves the office of president of the SOB Club, a post which indicates in the interview he aspires. What we will say is this: he is not simply an ideologue, preaching a particular line. He is a man used to power, a man whose conversation if full of the monologue of power—"I don't want this; I didn't have to do that;"and power can can have a corrupting influence, particularly when that person who has that power holds to his convictions as strongly as Foard does. It may be that an individual in the position of public prosecutor should suppress such convictions; if so, then perhaps Foard deserves much of the criticism which he has received.

Whatever your opinion may be of Foard—and we still withold judgement ourselves—you will probably find his candid commentary revealing, and while you may decide after reading the interview that is still a saint or a son of a bitch, depending on your point of view, we think you may find he's not quite the saint or son of a bitch you thought he was.

OS: Could we begin by asking you for a brief biography?

Foard: Well, I think I know what you mean. I was born in Columbia, and I've lived here all of my life. I'm 53 years old. I'm married, and I've got five children. I went to school here in Richland County and attended the University of South Carolina. In 1943, I went into active service during World War II. My overseas time was (spent) flying the Hump from India to China and Burma for about thirteen months. Then, when I finished pulling my time—you had to put in 750 hours—the war was over and I came back to the States and went back to the University in 1945; I went to law school and graduated in 1947 with a Bachelor of Sciene degree in Business Administration and a degree in Law. A year or two later, I got married. In 1950, I ran for the state legislature and was elected for a two-year term; I ran for re-election, but then in 1953, I resigned and took a job as assistance solicitor in this office.

Hugh Taylor was the solicitor. Later, he had a heart attack and there was about a three-year period that I was assistant solicitor, but I was running the office because he was unable to come back. Later, I became solicitor—I've been elected twice without opposition and once with opposition. That's a brief sketch. I've got a wife; I have four daughters...my wife's a female, too, my dogs are female and I've got ten ducks, and that's about my assets.

OS: Ah...

Foard: Also, my ambition in life is to become president of what I think is the most prominent social club in Columbia. I'm a charter member of 22 years. The original members; well, there was 23 of us and I've been running for president every year, and I think I'm going to have enough endorsements to make it this year. The club is called "South of the Border", it means "Son of a Bitch." And the burden is on the person who applies to prove he's one. You start off as an ordinary SOB, and then you get to what they call, like in the military first grade, second grade, and you work yourself up to a Revolving Son of a Bitch. I really think I was entitled to be president many years ago, but I think with my present recommendations, I should make it this year. I was able last year to get the recommendation of the former mayor of Columbia, whom I prosecuted. *The State* newspaper has endorsed me for the last twenty years. Last year I opposed judicial reform and the Supreme Court has unanimously endorsed me for the job. Ah...

OS: The university?

Foard: Dr. Jones has recommended me every year. That's true...I've gotten his recommendation without reservation.

OS: How do you manage to acrrue all these recommendations?

Foard: It's not hard!

OS: How can you be so universally disliked and continue to get re-elected? You've talked about this jokingly, but it's true that you have gotten the ire up—of the Supreme Court, members of the legislature, the UFO prosecution probably didn't earn you the admiration of a certain segment of the community. How do you get elected?

Foard: Well, we'll start off the way I got elected the first time...it really took some good timing...and this is a true story. As I said, I got married and later ran for the legislature. Well, my son, who is now 23 years old, was born the night before the election. I had no money at all...I mean I was really broke...a struggling lawyer. So, I didn't have money even for an advertisement, but my wife had worked with me rather hard; in fact, she was with me up until an hour before she had the baby. Well, the next morning it was headlines that I was the father of a new baby, and I was elected by 29 votes. I'm convinced it made the difference, because I ran into many people who said "are you the man running for the House whose wife had the baby last night? I really didn't have you on my list, but I'll show you, I've put you on there now." Of course, I tried to claim that I'd timed it...that's what you call expert political timing.

OS: Was the story about your son's birth the last favorable publicity the local papers have given you?

Foard: It was really the only favorable publicity they've given me. Of course, a lot of politicians obey the statement—and I don't mean to be original, but I insist on it—"I never complain about what they say as long as they spell my name right." If you notice, my name is spelled different than most Fords. You see, most of them came over here as F-o-a-r-d's and the reason they changed it was most of them were wanted in England for capital offenses like stealing horses and things, and they changed the spelling so they wouldn't go to jail. I take the position that we F-o-a-r-d's had guts enough to keep our names.

OS: Let's explore the UFO incident for a while. How do you feel about that incident three years later.

Foard: Well, let's review that briefly, because you asked me a question which I'd rather not answer about how I get elected, but I think sometimes people get the wrong impression about the position I take on various matters and that's an example of a position I took that...I don't know, maybe I'm not good at explaining myself sometimes, but the UFO for some six, eight, nine months—it's been so long ago its hard for me to be accurate on dates and times—my office received complaint after complaint, particularly from business people in the area where the UFO was located, see. And some of the complaints were that you had long-haired people or that you had this, that, and the other; and you had people who didn't agree with the government on the Vietnam War, and things like that—somewhat of a political nature. Well, I took the position and this was before there was any publicity, that if they wanted the place closed as a public nuisance, that I would not do it unless we had evidence of violating state laws. I wasn't getting involved with people's political opinions, or the way they looked, or things of that nature. Somehow or another, it all got twisted around.

I had a meeting with some of the law enforcement one day; I'm guessing it was three or four months before we actually closed (the UFO) down, and I told them to bring the evidence they had which would constitute a public nuisance, and I explained to them what they'd have to bring, generally speaking. Well, what they brought me I didn't think was sufficient to close that place down. And I told them generally what I would have to have if they wanted to close the place. And they later brought me that evidence. So the indictment that we brought...I remember that, for example, I'm a Methodist and the person who was writing the *Methodist Advocate* in those days printed half the indictment—not all of it—and wrote this big editorial and had a lot of people believing that I was doing a stupid thing to close the UFO. But he didn't put it all in. We had evidence of drug sales, we had evidence of minors being involved in drugs, we had some pornography—I wouldn't have tried to close them just on the pornography, but it entered into a nuisance (charge). A lot of these things were minor, but all added together...We had some elements of loud noises and other complaints that entered into it a little bit, but not very much. The main reason that I wanted to close the UFO was that after it had been in existence a certain length of time, it attracted all the drug pushers, and it became one—not the only one—but almost a headquarters if you wanted to buy drugs. Now what the public or the news media failed to put together was that there were other big drug places that I closed, and (the UFO) just happened to be one of them.

OS: What were some of the others?

Foard: Around where Benedict College and Allen University are located, I closed three places in that area because of the drug traffic. In fact, I will say this, those got a little worse than the UFO because we had a high percent of heroin being sold and dispensed in those three places, and I closed those down. You see, until recently, I have averaged closing—you might call them places of business—at least a dozen or fifteen a year. You never hear about them because there was nothing political involved.

OS: Were most of these closings drug-related?

Foard: Not all drug-related, but most of them were drug-related situations, and that's one way of getting rid of what I call a real nuisance.

Now, the judge who presided in the case, who is a very good friend of mine—he and I were in law school together—afterwards, he sentenced them...I believe it was six years or something. Well, I let things cool off a little bit—a lot of people were still raising hell—you know—and incidentally, that's when I really thought I was going to get to be president of the SOB Club and didn't make it. But after it all calmed down, including the lawyers representing the defendants...

OS: Who were the lawyers?

Foard: Ah, Reba Bolt from Atlanta, Georgia; ah, McDonald from here, who I believe is now in Atlanta (Laughlin McDonald, now Atlanta regional director for the American Civil Liberties Union); ah,...and what's his name around here, the black lawyer...

OS: Tom Broadwater?

Foard: Yeah, Broadwater. Well it all calmed down and everybody was speaking either to or at somebody, and everybody had gotten it all out of their system, and I'd given everybody a chance to cuss me out in the paper at least two or three times a day, you know. I went up and met with the Chief Justice and gave him reasons why I thought the matter—in the meantime, you see, they had appealed to the state Supreme Court, but the matter hadn't been heard—I met with one of the attorneys, Mr. McDonald, who I felt was a little more reasonable than the other attorneys, and we discussed the case. Well, to make a long story short, I agreed for the matter to be sent back for re-sentencing, and I told the court what the sentence would be; I didn't mislead anybody. And I went to the trial judge, who felt right strongly about the case, and explained to him what I wanted to do—I

"I would estimate conservatively that there are over 20 people in a teaching capacity who are in the drug business at the University."

didn't have to have his permission to do it, but I felt that since he presided in this case for about two weeks, I owed him (an explanation), so I drove up to his place in Anderson and discussed it with him. So I had a lot of traveling to do; I had to go see the Chief Justice, and the trial judge, and the lawyers, and all—well, there's no point in going into the details of that, but it resulted in sending the (UFO) case back, and we gave them suspended sentences and put them on probation, but we did not require them to report every month because they had scattered to other parts of the country. One of them was living in New York City; one of them had a pretty good job in Washington. When they came back in here for resentencing, we almost opened up another coffee shop, because I suggested to them that we get some coffee and sit down and talk. You would never known there had been a big battle in the courtroom. Well, we discussed some things and while they didn't say I was the greatest man in the country, they decided I wasn't as bad as they thought I was.

As far as the UFO is concerned, the sensationlism of course, would be their political views. The news media was more interested in playing that up. I got blamed for the sentence—and I'm still not saying it was right or wrong—I made no recommendation in that case, and I wasn't asked for a recommendation. The defense didn't ask me to recommend anything and the judge didn't, and I made no recommendation. But I did think after everybody settled down six or eight months later (after the trial) that it was time—the place had been closed, and there wasn't any nuisance there—I wasn't particularly interested in putting them away. Never was interested.

OS: This discussion about the UFO has centered around the drug situation in Columbia. Do you think the drug problems here have decreased or increased in the last few years in the metropolitan Columbia area?

Foard: The drug situation, I think—well, we could talk statistics, but I'm not much of a statistics man—they tell me crime is going down, but my indictments are getting bigger and bigger, and I don't believe it. But I think the drug situation has not improved—I think it's getting worse.

I can't talk about other parts of the state, because I'm not personally involved—in other words, I have no way of making a comparison. I might guess at a comparison, but I don't ljke to do that.

Richland County is a county in which several things are responsible for the drug problem. You have to start off with the fact that drugs is a very lucrative business. You talk about the old prohibition days, but you can't compare the profits they make off of drugs with alcohol drugs; there's just no comparison. For example, one young man that I put up at the UFO trial, whom you might say turned state's evidence, convinced me that he made over $20,000 a year while a student at the University. A lot of times this is not brought out, but frequently I have an opportunity to talk with people in the drug business and we talk off the record. Ah, I will say this, that most criminals do trust me, and that may sound a little unusual, but I've talked to a lot of them, and when I give them my word on something, they don't argue. It's a reputation I have, and I hope I can maintain, because it's very important that it be maintained.

But there are terrific profits in drugs. For example, I got a call one night from a narcotics agent who had arrested this 19-year-old boy who told them that somebody told him they had a plane ticket for him to go to Atlanta, Georgia, where he was to catch a taxi to a certain motor court where a car would be parked and have the keys in it. He was to get in it, turn the motor on and come to Columbia and park in a certain place and you walk away and get $1,000. Now what 19-year-old boy is going to turn that proposition down? And that's an example of how you can make money without even touching the stuff. And what better place do you have (to deal drugs) in South Carolina than the places we have here in Columbia. Let's take the University of South Carolina. Now I don't intend to reflect on the University by this statement, but the fact is that you've got a large institution with a large student body and a lot of young people who have never been away from home before. It's a big temptation for the students down there—some of them— to be involved in pushing drugs. And to prove my point, this Professor Pannish (a University of South Carolina professor, who was convicted this year of dealing a variety of drugs) that I spent almost 19 months of my own time off and on trying to catch—he was about the shrewdest person I've run into in my life—in my opinion, based upon all that was brought out when he pled guilty, he was one of the biggest pushers in this section of the country. Now he was in an ideal situation; he was teaching down there and he could make a contact with a couple of students he felt he could trust. He would not normally sell less than four pounds of marijuana. He is a wholesaler. He's the guy that introduced cocaine to the University.

All right, you've got the University sitting here. Just the cases that come out of the University could keep any solicitor in South Carolina busy. That's a fact. I've got the records to prove that; I'm not making that up, that's a fact. All right, you've got Fort Jackson sitting here. Now as you know, Fort Jackson is a basic training base; in other words, it's recruits; it's young men who have never been away from home; they're not people who have been in the Army five or six years who are settled down and don't just go out and violate the law. Well, of course, Fort Jackson increases all crimes. One of the big crimes is that the first day (the recruits) are out, they need transportation, so they steal an automobile. And your larceny in this county is at a very high level; Fort Jackson has a lot to do with that. And drugs, of course—it's a very good place for drug pushers and for young men to become drug pushers. So that's a problem. The penitentiary is a drug problem; of course, the Central Correctional Institute is located in Columbia and I don't care what they do, there's no way to keep the drugs from going in and out of that place. If it's gonna flow, it's gonna flow. And it creates a terrific problem in the drug field. Then you also have Benedict College, Allen College, and Columbia College. You really can't compare them with the University; usually if you have a small school, you can keep it under better control than if you have a large school, but they do add to the drug problem. I don't know why this is true, but you can go to any state capital in the United States, the best I can tell, and there is a certain amount of people that drift through the state will hit the capital; I don't know why they hit the capital, but they'll hit the capital mostly. You really run into some things in Richland County...we don't want to do away with the University, that's for sure, but unfortunately, it's a terrific problem. I could get into a little criticism on that, but...

OS: Well...let me prompt you a little bit. You say you could get into a little criticism—do you think they could do more to keep the drug problem down at the University?

Foard: Well, there's no question that they could.

OS: How?

Foard: Well, I would estimate conservatively that there are over 20 people in a teaching capacity who are in the drug business at the University. And it took me 19 months to catch Professor Pannish, and I'm still trying to catch some others, and they're just that damn smart. The trouble at the University is that they want the students to behave, but the people in the teaching capacity and others down there set bad examples—and Pannish is a good example of what I'm talking about. If I tell my son, "I don't want you to speed," and I get in the car with him and speed, I can't expect him not to speed in that car. And we can't expect those students down there to stay out of drugs when some of the faculty is out pushing the damn stuff.

OS: But isn't it much the same problem as keeping drugs out of the prisons; there's only so much you can do. How to screen all your employees to make sure that you aren't getting any drug pushers?

Foard: They don't screen the people they hire. They pay some damn national outfit forty-some-odd dollars for every new faculty member. And look what you've got down there! Now, you've got some fine people down there, and I hate to discuss this because they'll say "Who are you talking about?", but you've got some people down there who are miserable.

There was a professor recently who complained to the police department that these two soldiers had stolen something from his apartment, and one of them was still there—passed out. And we investigated the case and gave these two soldiers lie detector tests, and they passed them. What happened, (the professor) goes to a barroom one night, right across the street (from his apartment), and he meets these soldiers. He gets them up to his apartment and one of them passes out and he attacks him sexually. There's no question that happened. All right, I looked into the matter, and one of the soldiers swore out a warrant against him. And hell, he's been wanted for six years in New Orleans for a fraud. Now, he's in what they call the librarian section, see, instead of a professor, and he set up a deal in New Orleans—a business—he was in the business of buying books for the people, and he set up a business and bought them from himself and was indicted and skipped bond. And he's been wanted, but (the University) didn't check anything. He told them he'd been out in California; he skipped the four-year period in New Orleans. But they didn't check on that. They just don't check. There's certain precautions they could take. There's certain things they could do.

For example, you've got over 100 people living in rooms down there (at the University) that nobody knows how they got in those rooms. And here's the way it comes to my attention. They arrested a young man here several weeks on Main Street for selling LSD. They come to find out—he told them where he stayed, and (the police) went down to the University, and he and a girl 16-years-old had been shacked-up in one of those (dormitory) rooms down there for several months and nobody even knew they were in the building. Now I know you can set up a system of rooms down there.

I finally wrote the Board and said we needed a liaison committee between my office and the University, and they appointed the Chairman of the Board, Mr. (Eston) Marchant, who's a nice man. But I haven't sent him a report in months because it doesn't do any good. This is no reflection on Mr. Marchant; I think he tries to straighten it out—but the board says, "Well, Dr. Jones, you're right," (the reference is to Dr. Thomas F. Jones, president of USC, whom Foard has accused in the past of being incompetent). He (Dr. Jones) isn't down there half the time—for one thing—and—ah, they pay me no attention. It's...it's just ridiculous. Even if they did everything they could, they'd still have a certain amount of (criminal problems), but they take no precautions to avoid some of this stuff. I think when a man applies for a job to teach young people that he should be checked out pretty thoroughly—very thoroughly. And these are the type of things—laxity—well, how can we expect young people to do—we're talking about drugs now, but we could talk about other things, too—how can we expect them to abide by the drug laws when they let people teach down there—and in other capacities—(who sell or use drugs). You've got two men over in the computer section right now that were caught in Georgia back in March—I think it was the 25th; I've got a file on it somewhere—with several pounds of marijuana. They came back to Columbia and what did Dr. Jones tell them? "Well, I'm going to let you stay on They told him they thought they could get their records expunged later on, and I don't know whether they can or not—so they stayed on. And in the computer section; and that's a very...

OS: They were convicted in Georgia?

Foard: They were not convicted at that time. I don't know the latest; I haven't checked on it recently, but the point is that most people—like Pannish—are given a leave of absence until the matter is cleared up. He (Dr. Jones) didn't know I knew about this and this is the first time I've ever made a public statement about it. And this is just one example of what they do. Frankly, ah...the size of the school itself creates a problem in law enforcement, but it's further aggravated by the fact that there is absolutely no proper administration at that school. And it's just a shame. Now I know if y'all print some of this, I'm going to be criticized, but as far as I'm concerned, it's the truth.

OS: Do you get more cooperation from the officials at Fort Jackson than you do from the University?

Foard: We get complete cooperation from the Army officials—there may be an exception here and there. As far as the University is concerned, believe it or not, I get more cooperation out of the students than I do the Administration. Now, that's hard to believe, but it's the truth. I get more cooperation out of the students. Now it may be because of some of the programs I am running that they seem to agree with me on, such as Pre-Trial Intervention. I know this gets into a different subject, but it also stays within the subject of drugs, because we are trying to do something in Pre-Trial about drugs that I think may not answer the question, but it helps.

(Solicitor Foard devoted the next twenty minutes to a discussion of the Pre-Trial Intervention program underway in Richland County. His remarks will appear in a forthcoming issue which will discuss the entire program.)

(The second portion of the Foard interview was conducted on Friday, August 10. Foard has previously agreed to discuss the relationship between his office and pornography, a particularly timely subject, as the controversial film *Last Tango in Paris* was scheduled to open that same afternoon in Columbia. Foard and other public officials charged with law enforcement had decided to allow the film to be shown. At the beginning of the interview, Foard read from a letter sent to him by an individual who served on the Richland County Committee for Decent Literature and Entertainment until its recent disbandment. The individual provided Foard with a brief plot summary and expressed the opinion that while the movie deserved an "X" rating, it was not pornographic.)

Foard: See, a lot of people have got the wrong idea about the Committee for Decent Literature. Now, this man was an active member. We had all kinds of members on that committee. This man is not narrow-minded. I mean, a lot of people will disagree with him or maybe agree with him, but he feels—he does me a favor—he went to see the movie; he's one of those who went, and he comes back and puts it in writing. He summarizes the story; he summarizes the scenes that might have a legal problem; he tells me a few other things that he did, and he draws a conclusion and gives me his opinion. Now, if I had a cross-section of this county with an opinion as elaborate as that one, then the prosecutor would be in a much better position on anything dealing with this subject.

OS: But in the absence of a letter such as this one, how do you go about making a

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judgement? How do you decide something is pornographic? You ran into some trouble sometime back with "I am Curious (Yellow)." How did you make that judgement?

Foard: I don't have any rule on it. I just do the best I can. I do a lot of guesswork.

OS: There are a number of drive-ins and moviehouses in town who show what might be called "pornographic movies" very regularly. What about these places? You haven't moved against them; I was at one a couple of weeks ago where we watched a movie that was little more than a girl screwing the arm of a chair; it didn't have a lot of redeeming social value or seriousness And while attempts have been made to move against films like Last Tango in Paris *these other movies don't seem to be touched—we were in Charleston for a showing of* Last Tango, *which as you know was challenged by citizens there, yet no one had anything to say about* Maid of Sweden, *which was playing next door. I'm sure it was equally objectionable, probably more so.*

Foard: Well, I don't like to get involved in pornography. The law is, of course, vague, and the Supreme Court decisions have been rather vague. Personally, I prefer the civil side of the court. When we convicted Gerald Matheny, the operator of the Adult Peep Show (Matheny was convicted about a year and a half ago after a raid on the Assembly Street Book Mart and Peep Show. See the July 25, 1972 issue of *Osceola*.), the trial judge, after the conviction, held the matter in abeyance seven or eight or nine months before we would rule on the motions that the defense made about various legal points. So then I brought a suit in the county court, strictly the civil side, asking that this place be closed as a public nuisance. And after we brought the suit and offered a considerable amount of testimony, (the attorneys for the Peep Show) first filed papers in federal court, but we had a hearing on that and the judge moved it right back to the county court. Then they brought a suit against me, asking that—the legal points they raised dealt with constitutional questions—that a three-judge federal court be appointed and that was done. In this suit, they asked that certain things be declared unconstitutional, such as our common law public nuisance. They asked that I be restrained from closing this business; that I be restrained from pursuing my civil suit, and things of that nature. I don't know why that court hasn't convened and heard the matter. I don't have to hold up my local suit, but the reason I'm holding it up is I want the court, particularly the federal courts, to answer those legal questions, so I'll know what I can do and can't do on the civil side of the court. One reason I'm reluctant to pursue pornography on the criminal side is what good does it do? Take Matheny, for example, here's the transcript of record which went to the Supreme Court—the criminal conviction has been upheld. Okay, we go into the Peep Show and take a lot of magazines, and Matheny is out on bond, and the people who own the business put another operator in there within an hour after he's arrested. In fact, Matheny worked there a short time while he was out on bond. They replaced the magazines we would take. I've got maybe five or six — I've forgotten the exact number—charges against various operators of this particular magazine shop. It's ridiculous. All right, Matheny was sentenced; he paid a fine and he's on probation, but this place is still selling the same type of materials that they sold at the time Matheny was arrested.

OS: There's a similar store on Devine Street, isn't there?

Foard: That's right, and here's the point. In the first place, when you're dealing with pornography, you're dealing with a matter of opinion. If I try a man for larceny, the juror has to have an opinion, but a different type of opinion. The judge tells them what the elements of larceny are and the rules of evidence. Really, in most cases, what they decide is who's telling the truth; that's really what you decide. There may be some peculiar defense to a charge, but, I mean, generally speaking, you are deciding not an opinion like pornography, but you're deciding the actual facts. Because in pornography the facts are not in dsipute. So it's ridiculous. Why shouldn't it be settled on the civil side of the courts. After all, criminal courts are for the purpose of putting away criminals or doing something about criminal activity. So when we decide that pornography is in the criminal field, I think we're making a serious mistake. Any way you look at it, whether a person agrees or disagrees with that statement, look at the results. Particularly when you're dealing with a magazine shop selling what a lot of people think is pornography. They continue to operate. All I can do is destroy the material that is seized. Then they bring in other materials and they keep on selling.

Now, let's say this. I don't want what you might call a censor board. That's the worse thing we could do. If you had a censor board—number one—a small group of people, probably with no legal training, would make a decision as to what could happen in a given community, and that would be about the worst violation of a person's First Amendment rights that I know of. If we are going to have laws and rules about pornography, it has to stay in the courts where people's rights can be protected on both sides. The rights of the general public, the rights of the people the action has been brought against, perhaps different groups in society have different opinions; they have to be protected somehow or another, even though it's complicated. The results of a criminal case do not solve the general problem. Even on the civil side it will be difficult, because the court will have to make the decision, but suppose somehow or another you can get a rule that is generally acceptable as to pornography -- let's just suppose that -- and the solicitor or someone can bring this business or this movie picture into court and a legal determination can be made, and the court in effect says that in Richland County, (according to) whatever rules you have that this film can't be shown or these particular magazines can't be distributed or sold, then the person who operates such a business can eliminate what the court says is pornography and continue his business. Now, I've skipped over the rough section when I point that out, but I'm trying to say this, that number one, I think the legislature, the courts and Congress should think in terms of civil side when it comes to pornography. That's my personal opinion. If they declare that, then I think a lot of brains ought to get together to decide a procedure, to decidehow you're going to determine what should be shown and what shouldn't be shown. And who would be able to see it. A lot of people say, "Well, I don't care what they show as long as people under 18, or 19 or 20 don't get to see it." Well, that may be a valid point, I don't know. But somehow we need to get this thing on the civil side of the court. I'm not saying as solicitor I want to dodge it, that's not the point. The point is if I'm going to be responsible to do something about it, give me something so I can bring about some halfway fair results . If I'm going to stay on the criminal side of pornography, all I'm doing is spinning my wheels. Suppose that we take any given movie that's questionable, and I bring it into court, and the movie operator is convicted -- the law says you can destroy that particular piece of film. Then a week later, another movie operator shows the same film, and a different jusry says its not pornography. Where does that leave you? So any way you look at it on the criminal side of the court, we're spinning our wheels and we're no going to get anywhere until they devise a system of putting it on the civil side, with certain basic rules where you can come into the court in a calm manner and somehow decide in a given community what can be sold or not sold, and what can be shown and not shown, and what can be shown maybe to adults but not minors -- we are wasting our time.

OS: Do they handle any other matters such as this on the civil side? Is there an analagous situation?

Foard: Well, the closest we've come is until the Matheny case came along, I had been able to close various businesses as a public nuisance. (Note: Foard indicated that he is not currently using the public nuisance law, which will be heard when the three-judge federal court mentioned earlier convenes.) I think it is possible to close a book store as a public nuisance if you can prove that a certain amount of pornography is being distributed illegally. I don't like that procedure, because I think the legislature can come up with a better procedure on the civil side where you don't just want to close the place, but where you want to eliminate whatever is illegal. The closest analogy is the common law nuisance. And the reason I've used it is that I recognized some time ago that the criminal side is not going to solve the problem. It's going to take some type of civil action.

OS: Do you think there is any organized crime behind the pornography trade in Caolumbia or elsewhere?

Foard: I don't recall the man's name in Atlanta who is supposed to have controlling interests in these shops like the Peep Show, but there is a man in Atlanta and income tax charges have been brought against him, and I have had some investigators out of Atlanta who have discussed it with me—I don't

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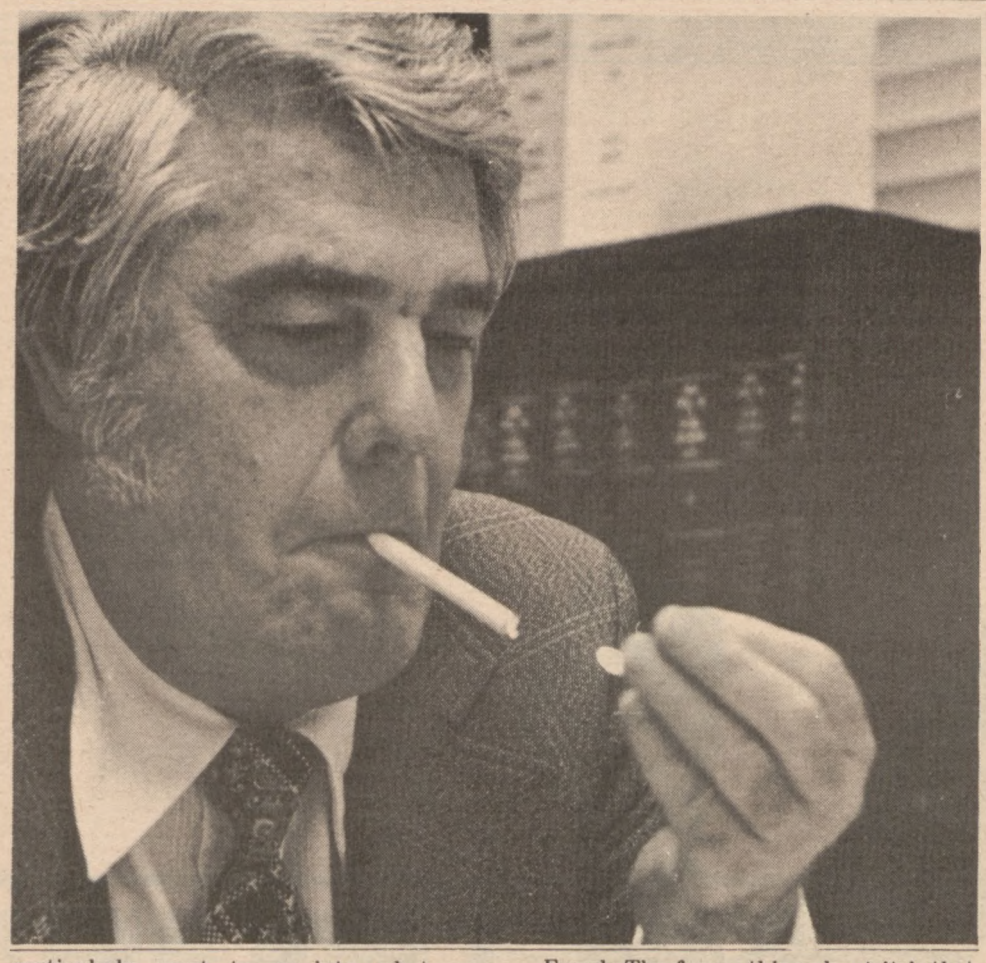


"In the first place, when you're dealing with pornography, you're dealing with a matter of opinion."

particularly want to go into what we discussed, but my office cooperates with all other agencies and they cooperate with us. (Pornography) is very much a money-making proposition. For example, they were discussing with me what knowledge that I may have or my office may have about the income of these places in Columbia. I first referred them to City Hall where as a matter of public record, you could find something—I don't think they were familiar with the law of the city. You see, if you have a business or a profession—like I'm supposed to practice law part-time, but I don't get to it very often—you have to have a license, and the city license is based on a gross income—not a net income, but a gross income—in other words depending on the business, it's so many dollars for each thousand you take in. Of course, that can be filed falsely just as much as income tax, but what will surprise you is that frequently a business that wants to save on income taxes will sometimes file a correct amount with the City Hall but will not file it with the government on their income taxes, and I think that's what happened in this case. They were surprised at the amount of money these stores brought in—a tremendous amount of money. But I'm getting a little off of your question. I don't think there's any organized crime in Columbia as such. I don't think everything that's sold by way of pornography has got something to do with crime. I think this outfit out of Atlanta probably is involved in some underworld activities, but they're not in our area, other than the magazines they're selling in these (Peep Show) stores.

OS: We went to Atlanta last year and interviewed Matheny and the attorneys for the Peep Show. Apparently, the attorneys handle a large pornography business. One of the things they were really critical of was the public nuisance law. They felt it was sort of like the vagrancy law; it didn't seem to have much substance; it was just a vehicle for you to carry out your "cause celebres" as the Columbia Record *put it recently.*

Foard: The funny thing about it is that they prefer the criminal side of the court if we're going to have a lawsuit, see. Because they recognize that on the civil side, if you're successful, you can eliminate more pornography than you can on the criminal side. They don't like the idea of civil suits. Now, when you charge one of their employees with a criminal violation, they smile and put up a bond—they don't care how much the bond is—they put up a big cash bond and let it sit there forever, they don't care. And if you try him and convict him; well, they'll come over and fight the case, but they're not disturbed. But if you bring a civil action, they get all shook up, because they know if a civil suit succeeds and if you get an order that this type of pornography (is illegal) or this particular place can't open again, they're out. And so, the people that for some reason are in the pornography business, if you want to say that, are scared to death of any type civil action—criminal action they can face, after all, it's just a little fellow making $150 a week, and they don't care what happens to him in one sense...they care but they can replace him; he's just another person. But on the civil side, you can wreck their whole organization, and that they don't like. And this is the point I've been trying to encourage people in the legislature, and I get correspondence from prosecutors in other states and I've written them, and told them I think we should concentrate on the civil side. The last couple of months, I've been getting a little reaction to the civil side; I've convinced some people that perhaps that is the best way to go.

OS: As we were going out yesterday, you were talking about some of things which might be pornographic, and you mentioned bestiality and homosexuality. I notice in the letter from the individual which you showed us earlier that he doesn't mention the sodomy scene in Last Tango. *What about this? Where will you draw the line? Now here's a movie that's got sodomy in it, yet a lot of people think it's a serious movie. How will you ever decide?*

Foard: I don't know the answer to those things, and as I've stated, I'm somewhat reluctant to use the criminal side, even though I have used it and even though I may have to use it. When there's a law on the books, it doesn't matter whether I like it or you like it or anybody else, if it's on there, it's got to be enforced. There is a law on the books; I don't particularly disagree with the law, but I prefer a different law. When I'm solicitor, if there's a law on the books, whether I agree or disagree, I'm going to try to enforce the law.

I don't know where to draw the line, so as a practical matter, not knowing where to draw the line, and knowing that certain movies and certain magazines hit the United States Supreme Court and they said it didn't involve pornography, then I try to use a practical approach to it, and say, well, when it involes homosexuality or bestiality, or things of that nature, I emphasize those first. Take in this Matheny case—every picture, with a couple of exceptions, involved homosexuality or some type of bestiality. I feel that most of the people I've talked to over the last several years pretty well agree that those types of pictures (pause)...however, there's a professor at the University who testified at the trial who doesn't agree with me on that.

...He claims that he's an expert on pornography...he says if it has an element of sex to it that it will have social redeeming values. Except for the two illustrations he gave of chopping a person's head and beating a seal to death, he cannot visualize a picture which would not have redeeming social value. What I'm really saying here is this that in this same case I had witnesses who looked at these magazines and took the position that they did not have redeeming social values. Of course, we're really getting into opinions, but we're getting into the extreme's opinions. Here I am as solicitor, and I've got a man from the University who says that no picture, whether of homosexuality or bestiality or what-not is obscene. Then I have other people saying this type pictures are obscene. So you're really getting into opinions, and when something is based on an opinion, I don't think it belongs on the criminal side of the court.

OS: We notice in your recent release to the press concerning you decision about Last Tango *that you seem to have taken the position that you're going to wait until somebody comes to you with a complaint.*

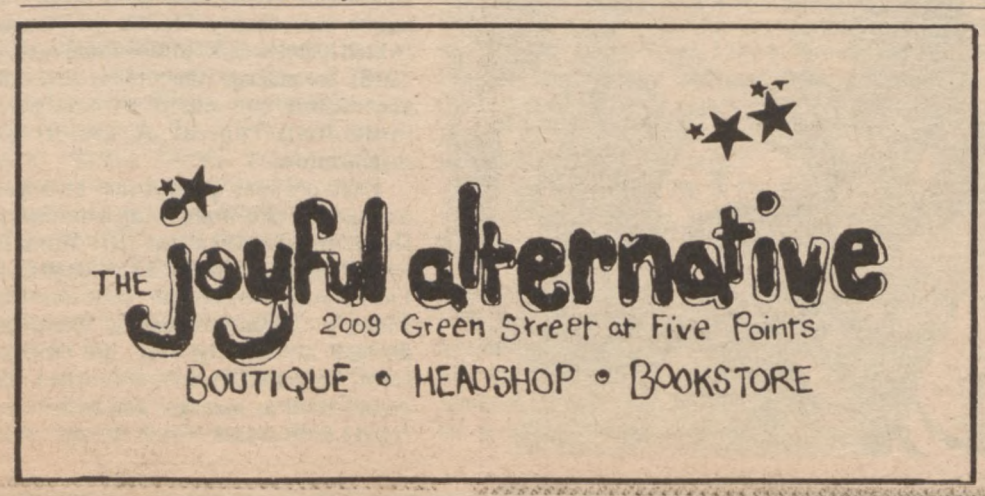
Foard: Well, of course, one thing that I wanted to avoid was a lot of public noise about pornography. I do have complaints. Now the people that complain, so far, refuse to be a witness in any court. They just say, "Well, Solicitor, that's your job. We expect you to do it. We expect the police to do it." Now when we get into matters of opinion, I'm not going to rely on one walk of life, such as a policeman's. Now I'm sure there might be a variance among police as to what is obscene and what isn't...but the trouble is, the people who scream the loudest, that is, in an objecting way, I find they're the hardest people to get to put their hand up on a Bible and swear and testify. So the statement we gave of course, is not fully complete on how I feel about the whole situation, but we had to make some kind of announcement—you people (the press) kept pushing us—we had decided we would not move in on this particular movie, and we had a lot of reasons for it, and we just didn't elaborate on every reason. But we didn't want certain groups who feel strongly about that movie to feel that they would not be given a day in court if they wanted to. That doesn't mean an action would be successful, but if enough people who object to me about the movie really want to go down and participate in a proceeding against that or any other movie, we'll give them the opportunity.

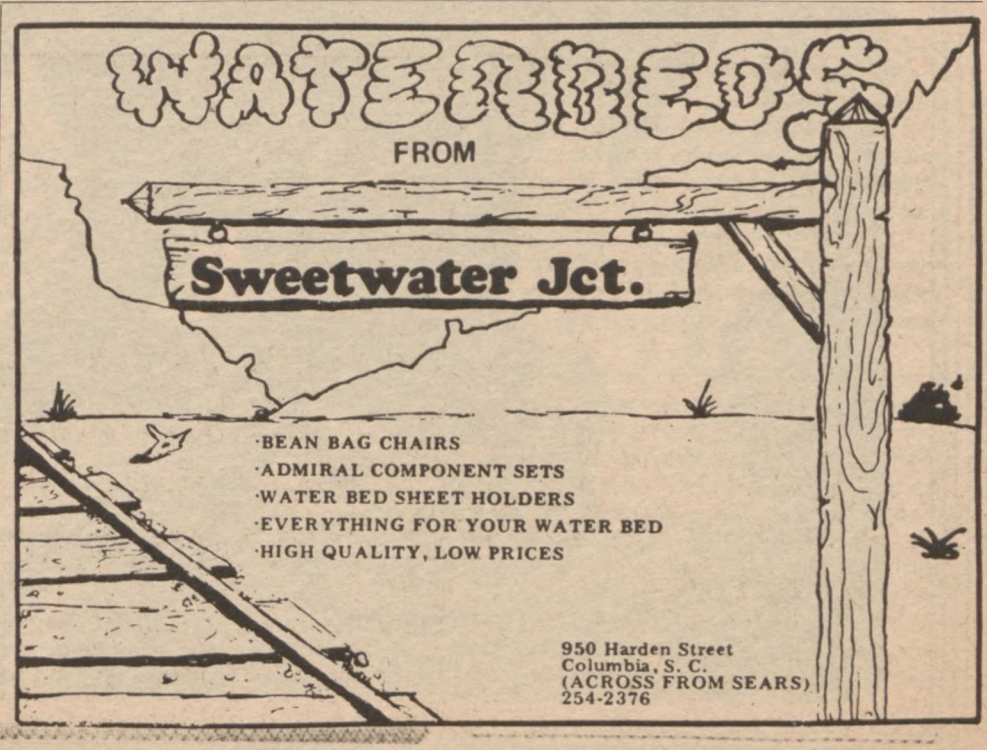
OS: Would this be a civil or criminal proceeding?

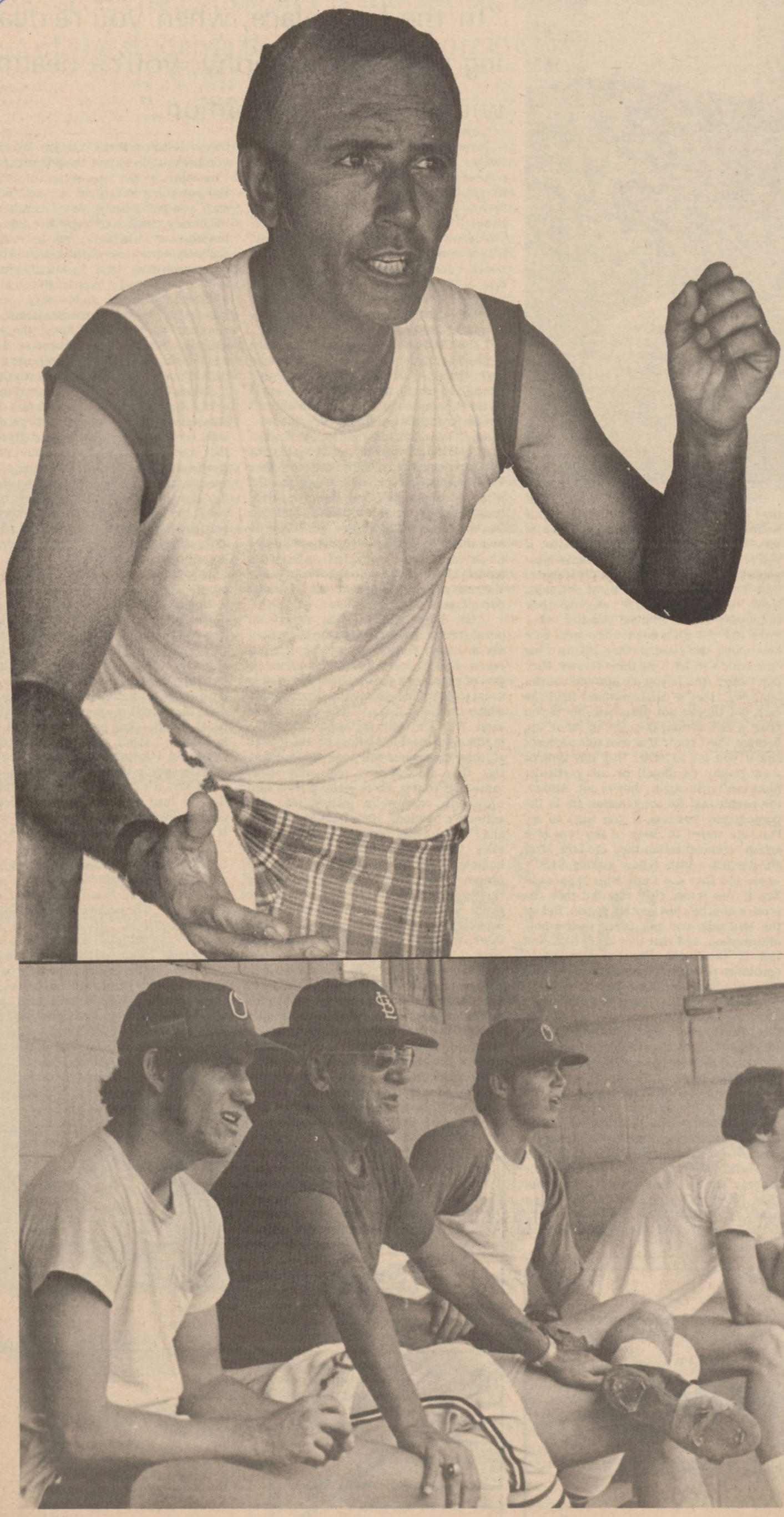
Foard: It would have to be a criminal proceeeding, because on the public nuisance I'm very doubtful that you could close a thaatre for one film. Now if I could show a pattern, which we have been thinking seriously about, for a given place, it's possible. But I hate to use that at this time until the federal court—until this particular panel of judges has been set up. So I don't know how I stand. I don't want to go into court and I spend days and days and the defense spends time and perhaps the state court says it's proper, and then boom, one day we read an order from the (federal) court telling us we're wrong or partly wrong. It more or less sets you back a little bit.

OS: (We showed Foard a clipping from a recent newspaper editorial written at a time when it appeared Foard might close down Last Tango. *The editorial accused Foard of sensationalism, of creating a cause celebre—"he has taken to them like a hound to the hunt." We asked for his reaction.)*

Foard: Well, it doesn't upset me because they spelled my name right, but it does upset my wife, although she doesn't get as upset as she used to. There's nothing unusual about these statements. If you'll read the editorials concerning me, every now and then they'll agree with something I say, but before they get through with that editorial—without using this word—they'll say: "But he's still a son of a bitch!"







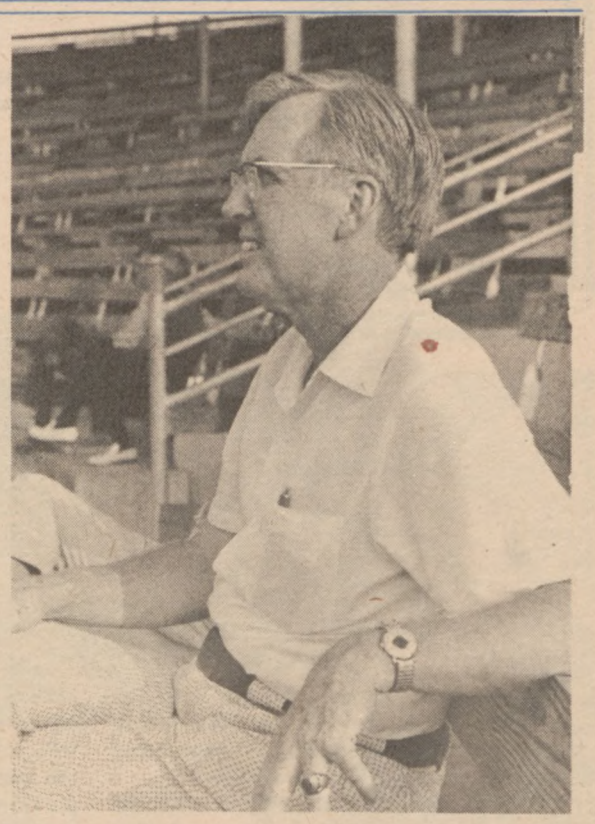
LIFE IN A

by Jon Buchan

South Carolina has traditionally offered its small cities as settings for the excitements and disappointments of minor league baseball at all its alphabetical levels from Class D to Triple-A. In the muggy heat of South Carolina's summers, eager young ballplayers have elbowed their way up past downward-drifting sore-armed, tired-legged, weak-eyed former major leaguers struggling to stay in pro ball until they reach pension age. The past several years, however, have brought changes to the professional game. Reformed pension plans have encouraged over-the-hill veterans to leave baseball gracefully at an earlier age or to move into coaching jobs. Expansion has provided more positions for players in the major leagues. And prosperous Americans who are exploring new leisure alternatives with more action and more thrills per minute than baseball offers, have initiated a declining of interest in baseball as a spectator sport.

These changes sent their repercussions down into the minor leagues, pushing many of the lower level teams up against the bank wall and threatening their financial existence. The lower leagues--D, C, and B--have been phased out and only an abbreviated version of the AAA, AA and A system remains, with the Rookie league as the ultimate bottom spot. South Carolina's minor league teams had dwindled to three until this season, when Charleston and Orangeburg attracted teams to fill out the Western Carolinas League (Class A) roster. Veteran minor league club owners Red Dwyer and Verner Ross lured former major league star Jimmy Piersall to Orangeburg (which had not had a professional team since 1918) to manage their team and quickly assembled the curious menagerie of individuals typical of minor league organizations.

Part-owner, president and general manager of the Orangeburg Cardinals, Red Dwyer met Piersall at the 1972 World Series when Piersall at the 1972 World Series when Piersall was working in sales for Charles Finley's Oakland Athletics. When Dwyer decided in April to start the Orangeburg team, he called Piersall and asked him to come down as manager and instructor. He figured Piersall would be an excellent



A HAMBURGER HAVEN

instructor for the young players in the league and a much-needed box office draw.

At 7 p.m. at Mirmow Field in Orangeburg, the lights haven't yet come on. Jimmy Piersall, wearing his number 19, finishes hitting infield practice to his team and trots back to the dugout. He is a nervous man, with an over-abundance of energy. He doesn't walk to retrieve things; he runs, in short, quick strides, to pick up a ball or a bat. At 45, he is in excellent shape, his stomach flat. Close to the dugout, near the stands, he appears smooth-faced, with a tough beard just below the carefully-shaven surface. He takes off his red Cardinal hat with the script 0 and from behind, the thinning crown of his head is visible, his only obvious concession to age.

Piersall was a legend during his major league career, as much for his personal problems as for his baseball proficiency. In 1952, while he was fighting to win and keep a position with the Boston Red Sox, the tension became too much for him. His intensity brought on a nervous breakdown and forced him to seek treatment for his emotional strain. He fought the problem and returned to baseball to become an outstanding player during the next 20 years, playing in four All-Star games and receiving the Golden Glove Award as best fielding centerfielder five times. He wrote a book about his illness and his victory over it which was made into the movie "Fear Strikes Out." Throughout his career, Piersall remained high-strung, often feuding with umpires and other players. Sportswriters have frequently suggested Piersall's antics were as much staged as they were expressions of his high-strung nature. In a nationally televised game against the Yankees in the early 1960s, two inebriated fans jumped from the stands and ran shouting at Piersall. Piersall ran to meet them, swung at one, and pursued the other who had started to run. The morning papers carried a photo of Piersall giving the latter man a high-stepping kick in the rear end--like a cross between a baseball ballet and a football place kick. Piersall loved it.

Piersall is still an intense man, when working or playing or talking. To the unitiated, at least, he does not seem to be a man who would put one at ease. An interviewer, for example, would think carefully before asking Piersall--just for the record, of course-what he thinks of the rumor that rock singer Alice Cooper is his son. Cooper has denied the rumor.

At 7:30, 150 or so fans are scattered around the stands and the hometown Cardinals take the field against the Anderson Tigers. Piersall perches on a fence rail near the batrack, within barking distance of the homeplate umpire. When his team is at bat, he coaches third base. In an early inning, the Anderson shortstop sneaks behind a runner on second base. The runner ignores Piersall's cries to get back to the base. After the pitch, Piersall almost walks onto the field shouting, "If I say he's behind you, I'm not kidding you. You watch out when I tell you."

The players in Class A are usually rookies or one-year veterans, between the ages of 18 and 23. They have been drafted out of high school or college and are being taught the fundamentals they may have missed there.

It is a strange place to find Jimmy Piersall. For a man with a reputation for little patience, he is more patient than a mother. He is hardly critical of his team for physical errors. He does not push them into frenzy or depression because they are in the cellar of the WCL. He knows they are rookies and he is a rookie along with them. Having decided he wants back into the playing side of professional baseball, he is starting at the bottom, just like the players.

"This is just a refresher course for them. I tell them every coach or manager they ever have is going to say the same things I say, over and over again. My job here is to use the 20 years of experience I have and pass it on to these younger players. I try to remember the mistakes I made and help them avoid them. I don't criticize errors--it's the mental things that are crucial. You have to learn not to make the mental errors.

"It's the greates thing in the world to be doing something you love. I know that I want to move up to a higher league. There aren't that many jobs open though. I've learned what I have to learn here and it's time for me to move up." In discussing mental errors, Piersall tells his team about his most embarrassing major league moment. "I was playing in Fenway Park and hit a banging double, I was standing on second base and the shortstop came over and told me to give the bag a kick to straighten it out. I did and he tagged me out when I took my foot off the base."

During the eighth inning, the skilled umpire-baiter Piersall squawks loudly from the bench over two foul ball calls by the homeplate umpire. (Piersall has been thrown out of games frequently this season and has been suspended once for two games, though the umpires will admit they take more guff from him than from other managers because of his reputation.) Finally, on a play at first base, Piersall sprints to the umpire and takes up the classic argumentative stance, his face inches from the umpire's, arms carefully stiff by the sides, feet planted firmly wide apart. The umpire's only escape is to turn his head from Piersall's stare and arguments, a symbolic backdown umpires concede to in almost every game. The umpires are rookies too, just up from umpire school in Florida, hoping one day to be dusting the plate before national television. One of the umpires explained later about the incident. "It's a hell of an experience, umpiring with Piersall. He even comes out sometimes when he knows you're right. After one play he had complained about last night, I looked at him and he was laughing. He'll take advantage of you if he can. There is no better experience than breaking into a league with him managing."

Red Dwyer leans back in his seat during the argument on the field and says lightly, "They're just rookie umpires, just like the players." Dwyer is the emotion antithesis of Piersall. While both constantly stress that their job is to provide a place for the players to develop and not a place to demand a winning season, Dwyer's personality seems more adjusted to a philosophical attitude about such things than does Piersall's.

During the home games, Dwyer positions himself on the bottom row of the stands directly behind home plate. At 58, his hair is still thick and bright red. He dresses neatly and his freckled face is fresh. He chats comfortably with whoever happens to be sitting near him--everyone, from the youngest boy asking to be a batboy to the town councilmen, calls him just Red. When asked his real name, he pauses and says "Arthur, but *everybody* calls me Red." Over his shoulder is a white towel, which he uses to clean off balls which have gone out of play. He quickly explains that his duties as president and general manager range from postman for the team, to driver (both he and Piersall drive one of the four station wagons the team travels in), to pitching coach, to chasing down balls that leave the park. He goes outside, tips the youngster who returns it a quarter, towels it off, throws it in and returns to his seat.

Baseball is Red Dwyer's life now. As one friend said, "He'd die in two years if you took him away from it." Born just outside Boston, he has played for, coached, managed or owned teams from the state of Washington to Florida, and all over the Carolinas. He was an excellent minor league pitcher in the '40s--he won 25 games in 1948. His wife died suddenly not long ago and when the opportunity to start a team in South Carolina came up, he couldn't resist. Along with Verner Ross, who owned the Greenville franchise until the park burned down, Dwyer looked for a town with a ballpark. They wanted to come to Columbia, but the old Reds stadium was in disrepair. So, despite the smaller potential crowds, they opened in Orangeburg.

"My potner and I just hoped to break even," he explains in his Boston brogue. To break even, Dwyer says thay have to pull in at least 400 fans (at $1.25 a head, $.55 for senior citizens) at each of the 66 home games. He says he is averaging 200 per game, but against Anderson, he would have had to count the concession employes and the batboys to get 200. The city has given them good support and kept the field in excellent shape but the fans have practically ignored them.

"You have the baseball for kids of all ages. You have your softball leagues for the girls and the women and men. You have automobile and motorcycle races just across the road here. There's just so much else people can do these days and baseball is not drawing them." He pointed out that Charleston, on the other hand, is drawing 3,000 a game sometimes, because they have more people to draw from and a better team. Their team is better because it is one of only

(Continued on next page)

two class A teams affiliated with the Pittsburgh Pirates while the Orangeburg team is one of three class A teams from which the St. Louis Cardinals select.

Though Dwyer doesn't like it much, he has spent a good deal of his time developing promotional schemes for his team. They have advertiser nights, when the advertisers who have bought space on the outfield fences give away tickets to the games. They have had "kid's nights" when young people get in free. They have had company nights when a local industry buys all the seats and gives them away to its employes with promises of gate prizes. Dwyer's largest crowd this season was on pony night, when he gave away a pony and several bicycles and drew 3,600 fans, even with "threatening weather." He even brought in Max Patkin, the "Clown Prince of Baseball" to entertain his fans.

The finances of a minor league team are shared by the parent club and the local management. Dwyer's club is not officially affiliated with the St. Louis Cardinals, but is actually a "co-op" club. Twenty-two of his players are signed with the St. Louis Cardinals and three others come from various other teams. The parent clubs pay the players' salaries of $500 per month and buy one set of uniforms. The local management buys the balls, the other equipment, the other set of uniforms and pays the travel expenses for the 66 road games. Dwyer never expected to make any money, but he is beginning to wonder if he can break even and be able to bring his club back next year to Orangeburg. (Earlier this year he was confident enough to make a down payment on a house in Orangeburg.) "These players were some the Cardinals and other clubs were going to have to release, because they didn't have a club for them to play with. If it weren't for us kind of people who love baseball, these kids wouldn't have a place to play ball."

Another man who loves baseball and has made it his life was in Orangeburg last week visiting the Cardinals, taking a look at the parent team's investments, and offering some pointers. The man was Joe Medwick, a former St. Louis Cardinal, Hall of Famer, member of the notorious Gas House Gang of the 1930s. He is a veteran of several World Series, including the 1934 Series of which he is particularly proud. Despite his slight stature, Medwick owns a lifetime batting average of .324. His .374 average in 1937 led the league and helped him win the Most Valuable Player award and the Triple Crown that year. At 61, he is a spirited figure, with endless advice and anecdotes.

His formal title is "minor league batting instructor," but his role is more than that. His experienced eye can pick out flaws in a hitter's stance or swing or attitude. But he is there to offer advice on all aspects of the game, from keeping the weight down to hustling, to just letting these kids know that yes, there is a St. Louis and the people up there are watching.

In his nasal New Jersey accent, Medwick banters in the dugout with the players, wearing his red Cardinal shirt with the white MEDWICK stenciled on the back. He is obviously more comfortable in a dugout with a baseball team than anywhere else in the world. He is a direct man, who doesn't pull his verbal punches and whose vocabulary lapses easily into an imaginative and colorful use of the language. His advice, as Piersall has already told his players, is simple.

"If I could teach you to hustle, to think, especially when you're having a bad hitting streak, I'd be happy. If you'd get the extra base, steal, make the hard double play, when you're not hitting. . . .Every night before you go to bed, think over what you learned that day. If you didn't learn anything, that's not a good day. Never have a bad day all the way around. If you don't hit well, steal a base. And God knows, it's not simple to avoid a bad day."

"I played at worse fields than this when I broke in. In Pennsylvania, in the coal mines, we didn't start the game until after 4:30 when the men came up from the mines. Your ballparks are better, the general conditions are better. If you want to get out of here badly enough, though, then you'd better be playing well."

At lunch, Medwick, Piersall and Dwyer muse over the menu. Some one mentions that the country style steak is pretty tough in the restaurant, and Medwick feigns shock, "There's nothing tougher than an umpire's heart." The three decide on filet mignon and begin to discuss baseball, juxtaposing sentimental reminiscing with talk of recent developments. All three sport flashy gold rings from some championship. Medwick wears a jeweled pinky ring from the 1934 World Series; Dwyer wears a gold ring from the 1971 pennant victory with the Charlotte minor league club; and Piersall wears a ring proclaiming the 1972 Oakland Athletics World Series victory. The subject of the consistently above-the-collar hair length of the Orangeburg team comes up. Medwick laughs, "It was Charles Finley and the Beatles who brought long hair to baseball. Some players today have so much hair they have a hard time keeping their caps on. We've got one guy that we're going to put a strap under his chin, like a baby's cap, to keep his cap on." Dwyer offered a moderate comment about "reasonable length." Medwick laughed again: "As far as Red is concerned, they could come out with no clothes on, as long as they play well." The conversation turned to the shortcomings of talent scouts, a subject as popular among baseball managers as the shortcomings of editors among writers. Piersall and Medwick then began to compare the desire to make it in baseball they see in today's rookie with that of their day. Piersall said, "I don't think they have the pressure. These kids have something to fall back on, like a college education. When we came up, you knew if you didn't make it, you'd be driving a truck or working in a gas station." Medwick added, "A lot of these kids just aren't hungry. It really gripes me to see kids who have been paid big bonuses and who aren't putting out." As Medwick has told several players earlier that day, "When I came up, what kind of bonus do you think I got? I got a club sandwich on a Friday and I'm a Catholic. I ate the damn thing anyway."

Joe Kubeck is, at 23, the oldest man on the Orangeburg team. He joined the Cardinal organization last year after graduating from Springfield College in Connecticut. He received no bonus, because as a post-college draft choice, he had no bargaining power. If he had not signed, there was no place for him to play; he couldn't threaten to go back to school for another year. "They think 23 or 24 is ancient. They let some young ones go at 18 or 19." He played in the Rookie League in Florida last year where he had a good season. He was promoted to the Class A club this spring, where he found himself playing for Piersall, one of his two childhood heros. (A Red Sox fan, his other hero was Ted Williams.)

Both he and his wife Maureen are from Connecticut and have had a tough time adjusting to small town South Carolina life. There is only one other married couple on the team and they socialize when they can, but say there is little to do in Orangeburg. Time is a problem also. During the April 15-August 30 season, the team has only six off-days, preventing the players from venturing too far from Orangeburg. Occasionally several players and wives and even Piersall and Dwyer take in a movie together. Or in the mornings, the players will have a round of golf with Piersall.

Both Joe and Maureen say they have found the strict class and racial barriers closer to the southern stereotypes than they had really expected. Their living conditions are not unpleasant. They live in a large mobile home just outside town--particularly pleasant when compared to the seven unmarried players who live in one apartment with no telephone and no television. They worry about what the off-season will bring in the way of employment this year. Last winter Joe had a well-paying union job as a beer distributor and worked as a substitute teacher. This year he's not sure what he'll do. But these are minor sidelines to the primary concern: making it as a major league ballplayer.

"I've always felt I could make it. I was cut from my high school team. I was cut from my college team. I was pre-med at the time and I just kept being such a pain in the ass, my coach let me play. When I was a kid, all the other kids wanted to be firemen or policemen or cowboys. I never wanted to be anything but a major league baseball player. And I think in another couple of years, I can make it."

In the spring, Joe had some arm trouble and it scared him for a little while. "When you think for a few weeks this may be it. . . . At my age in the minors, they're not going to keep you around for two years to see if it gets better. But I don't think about that side of it too much. I'm sure I can make it." Joe has been disappointed in the support the fans have given the team. He thinks the support and team morale would have been better if the local daily paper had given better coverage to the team.

Kubeck is ready to move up to the next rung--hopefully Little Rock, Ark., a Double-A club in the Cardinal organization next season. He has a 10-9 record this season, not bad for pitching with a last-place team, but he hopes the competition of Double-A will speed his development. "You always pitch better against good teams. You can get complacent in this league. Now I've had my brains kicked around a few times, but it's better in Double-A or Triple-A. If you can throw a strike, at the knee or on the corner here, it'll be a good pitch in Triple-A or anywhere else. Experience isn't everything--the plate looks the same there as it does here."

Baseball is an addictive profession and minor league baseball apparently demands a special devotion. For the fans, it can provide a cause, a hometown favorite with personality and color and that strange excitement of knowing you may be on first name terms with a future Jimmy Piersall or Joe Medwick. For the participants at the Class A level, though, it leaves a lot of uncertain futures. Dwyer is not sure where he will be next year. The umpires, like Piersall, hope to move up the ladder of pro baseball in their proper roles. And the players--the college-educated like Joe Kubeck and the less-fortunate with even less certain alternatives-want to make it to the majors.

Life in the minors isn't the hot dusty bus rides and greasy meals that we read about when growing up in the fifties. But it's not home, either, except for the grand old men like Red Dwyer. Joe Kubeck explained it this way: "The big league is first class, all the way. It's not bad here. But the big league is like steak and this is hamburger. Yeah, this is hamburger haven."

Talking With 'Ducky'

Joe Medwick, sometimes in his Cardinal uniform and sometimes in his sporty street clothes, chain-smoking all the while, spun tale after tale last week to the players and traded tales with Piersall and Dwyer. As a player, Medwick was known as Mighty Medwick for his unexpected strength at the plate and as Ducky Medwick for his waddling stride. He recalls that the pennant-winning St. Louis Cardinals of 1934 drew only 370,000 fans while the 1972 Cardinals attracted over a million last year. And the salaries were a different story in the 30's. When Medwick broke into the majors, he was making $400 a month, while the Class A players today make $500 a month. "The owner of the Cardinals used to give the general manager $100,000 and tell him to sign the whole club. He told him he could have 10 percent of anything he saved."

One of his favorite tales is of the time in 1937 when he was playing for the Cardinals against the Chicago Cubs. "I hit a double and was trying to stretch it into a triple and I was almost to third base when I looked up and the third baseman was holding the ball. So I barreled into him as hard as I could and he dropped it. I looked up in the stands behind third base and there was this group of very well-dressed men and one of them smoking a big black cigar looked right at me and gave me the old Italian lift. Well, I said, 'Screw you, too.' After the inning, I was walking back to the dugout when the third base coach put his arm around me and said, 'Joe, you know who that is?' I said 'No.' He said, 'That's Al Capone.' I made sure I hit another triple and this time around, I waved and said, 'Hi, Al, how you doing? So good to see you.' I slept that night with my bureau in the hotel pushed up against the door, hoping the machine gun bullets wouldn't get through it.

In talking over old times, Piersall and Medwick told a few Casey Stengel stories. Stengel, long-time manager of the New York Yankees, was infamous for his capacity for murder of the English language and consistently produced convoluted speech so confused that sportswriters would gnaw their pens in anguish when trying to make sense out of the quotes he had just given them. Medwick told Piersall about an episode several weeks ago, at the peak of the Watergate publicity, when Stengel checked into a Washington hotel for a short stay. The subject of bugging came up and Stengel reportedly expressed concern that his room might be bugged. Medwick laughed, "And that's all those people would need to drive them crazy—tapes of Casey Stengel talking endlessly."

If anything, Medwick is good at the dead-pan finesse. Throughout his career, he was a notorious bad-ball hitter, despite his excellent average. During one conversation last week, Medwick was ranting about a certain hitter in the Cardinal organization who constantly went after bad pitches. Amidst general throat-clearing, one player said, "Didn't you use to hit a lot of bad balls?" With a look of total innocence, Medwick, unblinking, replied, "Well, *I* never thought they were bad."

the arts

A step to understanding

by Gary Ligi

In *God Bless You Mr. Rosewater*, Kurt Vonnegut, Jr. comments upon the failure of many foundations and, particularly, of the public museums to fulfill the purpose for which they were intended *i.e.*, to preserve and protect historical, religious, and decorative objects so they will be available for the edification, education, and enlightenment of *all* citizens for ages to come. Eliot Rosewater writes a brief history of the Rosewater family, and in it he says of one of his ancestors.

> And Samuel bought newspapers, and preachers, too. He gave them this simple lesson to teach, and they taught it well: *Anybody who thought that the United States was supposed to be a Utopia was a piggy, lazy, God-damned fool.* Samuel thundered that no American factory hand was worth more than eighty cents a day. And yet he could be thankful for the opportunity to pay a hundred thousand dollars or more for a painting by an Italian three centuries dead. And he capped this insult by giving paintings to museums for the spiritual elevation of the poor. The museums were closed on Sundays.

To realize the accuracy of Mr. Vonnegut's wry statement, one has only to recognize that most museums are located in urban areas, keep hours identical with that of the average citizen's job, are most usually considered "tourist attractions" (exploited by Chambers of Commerce for business reasons) rather than cultural assets, and that many charge admission. In effect, what the museum system has succeeded in creating in spite of itself is an extremely effective penal colony to shield the culture from the public and the public from the culture. Hence the term "pop-culture" has come to cover anything, no matter what the medium, which makes its way before the public and meets with a considerable amount of favorable attention. It is important to note that both "pop-culture" and "pop-art" are not objective coinages — they are meant to express a slightly derogatory flavor.

As a result, the liberally educated segment of our society — that portion most actively engaged in the production of (and with the easiest access to) the lasting artifact — has come to regard the average citizen as an ignorant, irredeemable boor with no more taste that sterilized water, while the average citizen reciprocates by considering the liberally educated to be intellectual, lifeless snobs with no more common sense that a turnip or a bowl full of stewed prunes. Either or both of these assessments may prove to be completely true or equally false, but as long as the system persisted in maintaining a kind of caste structure as regards the arts there was no way of knowing. Thus one American human being found it easy to disdain another through the timelessly foolish process known as deductive generalization.

In order to solve a part of the problem, The South Carolina Arts Commission and the South Carolina Arts Foundation, with assistance from The National Endowment For The Arts, have developed a program which may eventually make the culture of *all* Americans (regardless of race, religion, sex, creed, wealth, etc.) accessible to all Americans (etc.) — the Arts Resource Transportation Service (ARTS). More than a mobile museum, ARTS is a travelling festival complete with the facilities, equipment, and personnel necessary to allow any interested South Carolinian to try his hand and mind at painting, printmaking, photography, film and video, ceramics, sculpture, and drawing — or simply to appreciate what others have done and are doing. In other words, ARTS expands upon the concepts of the In-The-Schools to include and encourage the participation of the entire community.

In addition, ARTS transports a selection of 22 pieces from the South Carolina Art Collection and SAM -- the Student Art Mobile. Designed and built at the Greenville

Continued

County Museum of Art, SAM presents basic information on the creative processes of painting, printmaking, ceramics, and sculpture. Highly colorful, employing a brief tape recording for each process, and limiting the use of the printed word to labels — SAM is an artistically designed and effective teaching aid in enabling the student artist (and appreciator of art) to understand the materials, tools, and techniques employed to produce the finished work. Hopefully, by coming to grips with the problems and limitations an artist encounters in the performance of his art, the student will come to realize that much more than an idea goes into creation of the artifact — the artist has to *work* to get it right. This seems to me a far better concept than the approach taken in my early "art appreciation" courses: "This is good and that is bad. Take my word for it. Or you will fail."

Although ARTS has been in operation since the beginning of July — already having made visits to Fort Mill, Kingstree, and Sumter — formal dedication of the program took place here in Columbia last Friday on the State House Grounds. Lt. Gov. Earle Morris, Jr. and U.S. Representative W. J. Bryan Dorn were special guests at the ceremony, and the dedicatory speech was delivered by Governor John C. West. His daughter Shelton christened the vehicle with the traditional bottle of champagne.

Also on hand were Bruce Milletto, George McCaulley, and David Sanders. Mr. Milletto will travel with ARTS during the next ten months. Educated at Arizona State University, Northern Arizona University, and The University of Oregon, he serves as curator for the South Carolina Art Collection, in addition to being Artist-in-Residence, advisor, and coordinator for ARTS. Mr. McCaulley demonstrated the use of the potter's wheel. A graduate of USC with some graduate study at East Carolina University, he will be working the the TAP project in Lancaster this fall and has his own studio in Charlotte. (The TAP project is an extensive program which will put poets, film-makers, composers, and other artists into the Lancaster, York, and Chester county school systems beginning in the fall. Conceived along the lines of the other In-The-Schools programs, TAP will be far more intensive in its approach and deal primarily with students from the fourth through eighth grades. The program has been made possible, in part, through a generous grant from The Springs Foundation.) Mr. Sanders worked on a wood-sculpture for the event. He has a studio in Sumter where he works in printmaking, particularly in serigraphy (silkscreening), and will be working part-time with Bruce this week at the Art Fling being held at Trenholm Park, under the auspices of The Richland County Recreational Commission.

ARTS is expected to visit 26 communities in South Carolina during the next ten months, and, as one of the speakers noted, it is hopefully only the first of a fleet of mobile resource studio/museums which will allow every South Carolinian the opportunity, encouragement, and satisfaction of creating and participating in his own culture. ARTS requires what amounts to a token fee from participating communities and will spend 14 days on each visit it makes. The program will operate from 8 to 10 hours a day during the stay, and the activities available will be limited only by the imagination and needs of the community. An educator's handbook is available from the South Carolina Arts Commission to precede each ARTS visit. Prepared by the Education Department of The Greenville County Museum, the handbook contains many suggestions designed to aid the community in receiving the maximum benefits of the program.

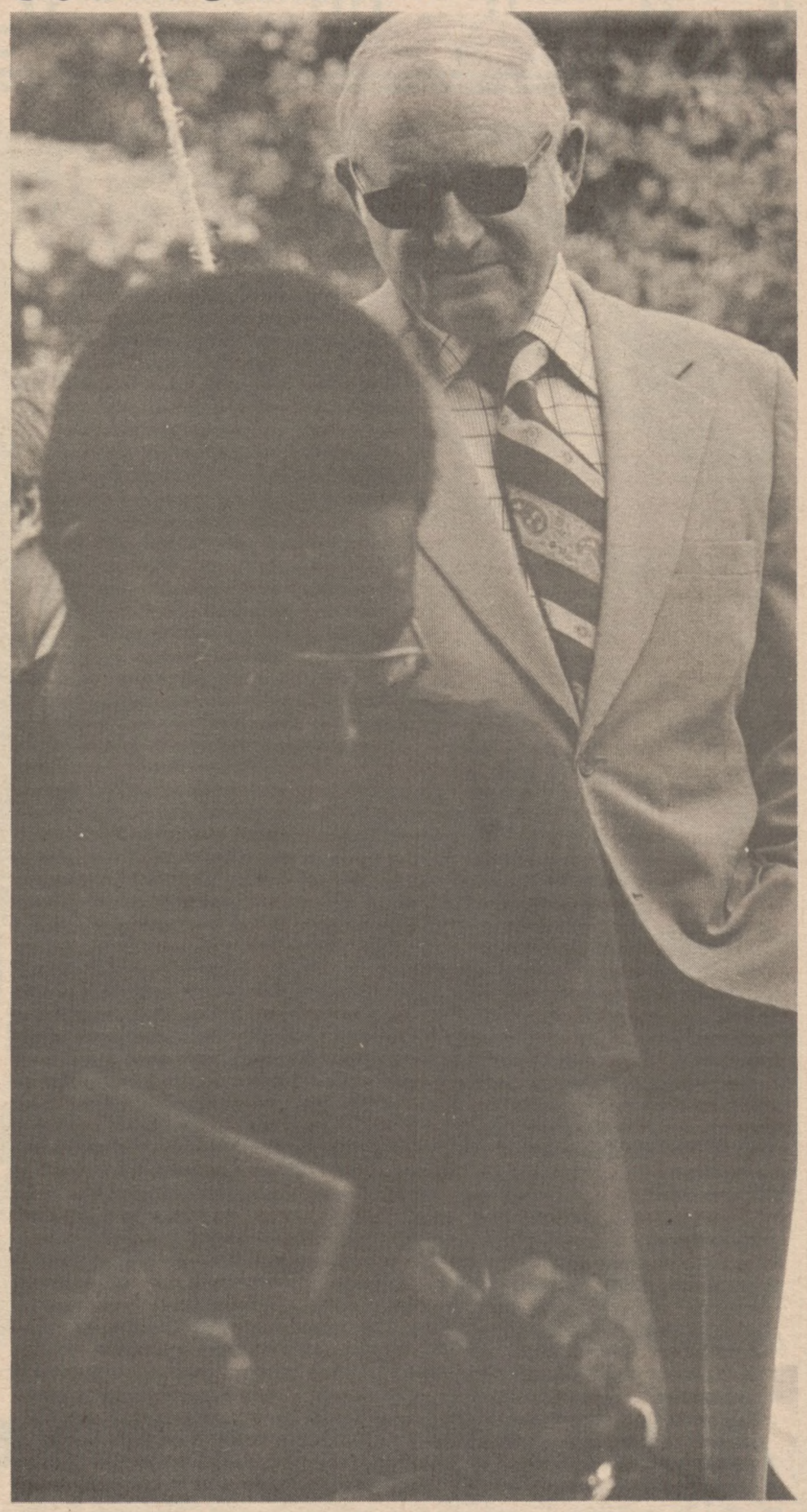
Mike Holden, contemporary arts associate for the South Carolina Arts Commission, hopes to see the program expanded in time to include all forms of the visual, performing, and literary arts. For now, though, ARTS will have to satisfy itself with being the most ambitious and progressive approach to the mobile art concept now in operation in the United States. As a matter of fact, the State of South Carolina may very well rank number one in its over-all attitude toward and support of the arts — no mean feat for a southern state and something to really be proud of.

During the ceremony the Art Commission programs were referred to as a kind of "rent an artist, rent a festival" — a thought I took some exception to, considering it to be a poor choice of words. At first. The artistic impulse most generally runs contrary to materialistic considerations because it is, by definition, an individualistic interior impulse — not necessarily *above* the everyday world but certainly apart from it. However, it could be that the only way to bring the people and the culture together again is to compete with the very thing that had torn them apart to begin with: the material world with its advertised happiness, planned obsolescence, and legal tender. Maybe the rent-an-artist approach will open many eyes to the reality of several worlds existing simultaneously in the society of men. And maybe it won't. But at least it's an attempt, and at this point any attempt is a positive step.

Hopefully, ARTS will grow and thrive and with it the people of South Carolina — eventually, the rest of the United States. Hopefully, we all will become more aware of the missing ingredient: our culture, the common bond. For it is in the recognition of the arts as the expression of one artist's love and loneliness — in short, all that man can ever hope to share — that peace and understanding are to be found. Art is the soul and spirit made visible, audible, tactile — made *human*. It is not something to be ignored. It is something to live for.

The drive for permanence must always fuse itself to the drive for vision, and in that perfect fusion there is a chance that people — no matter where or who they are or what they believe in — will come to search for ways to express the worlds they find inside themselves. Communication is the first step toward understanding. ARTS is a step in the right direction.

"...Hopefully ARTS will grow and thrive and with it South Carolina..."



Readers Write...

(Continued from page three)

AEC admitted this under questioning from the committee.

The second study was an analysis of Shippingport waste disposal. The AEC claimed there was no way the plant could have released the amount of radioactivity that was measured in the environment. They showed no figures, but based this conclusion on a study of plant operating records. Dr. K. Z. Morgan, a 30-year veteran of the atomic power program and a member of the committee, criticized the AEC and Duquesne Light Company for not making any environmental studies to support their conclusions.

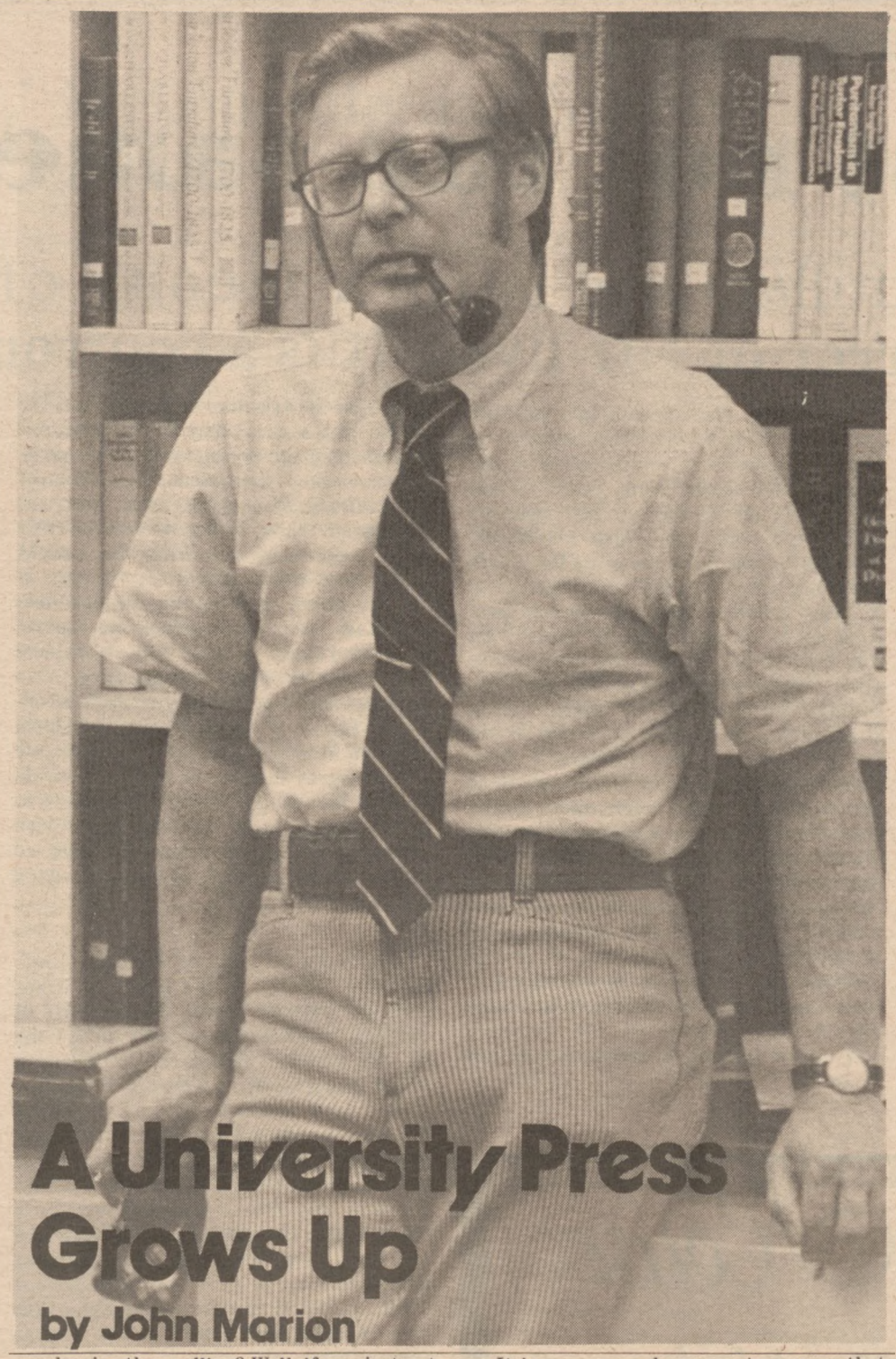
The third study, was an analysis of NUS data for the Beaver Valley Power station, the same data which first alerted Sternglass to his levels of radioactivity in the environment. Both the AEC and the NUS agreed at the hearings that the measurements were in error. However, high levels of iodine which NUS measured were not explained and were not considered erroneous. This amounted merely to a denial, with no explanation as to the source of the error. Study number four concluded that there was no fallout from bomb testing during the questioned 1971 period—this had been agreed upon by everybody before the AEC testified.

Study number five was a criticism of Sternglass' use of mortality statistics, which were uncorrected for socio-economic factors and for population composition

One member of the committee acknowledged his reservations about Sternglass' statistical methods, but criticized the derivation of a figure cited by the AEC to refute Sternglass' version of the infant death rate. He pointedly informed the AEC that if they hoped to criticize Sternglass in the future, they had better be more careful in their data.

It seemed apparent to me, and I think, to the committee that the AEC really had no serious data to challenge Sternglass' allegations. I would like to note that neither Sternglass nor his supporters were dogmatic about the relationship between radioactivity in the environment and health effects. They merely stressed that more thorough studies must be done soon. The Committee criticized the AEC for never having done the studies, since the AEC Biomidical and Environmental Division has $100,000 each year with which to do such a study. The committee also expressed regret that the AEC has such a long history of merely denying that Sternglass may have discovered something that now they could not do such a study because if the results came out against Sternglass, the public would not believe them. My impression is that the committee will, at the very least, recommend a thorough study of the nuclear installations in the entire country, looking for health effects.

Dr. Kenneth Gregg
Rock Hill, South Carolina



A University Press Grows Up

by John Marion

"What we really are," says Robert King, director of the University of South Carolina Press, "is a book publishing house whose function is to publish books that are unlikely to get published by commercial media simply because their profit return isn't high enough. This means that we publish scholarly books, mostly , and some regional books. Our authors really come from all over the place."

In this sense, the University of South Carolina Press differs little from other university presses throughout the world. What makes South Carolina's unusual is the fact that it has come such a long way in such a short time, and is experimenting successfully in what titles it publishes as well as in its business methods, thus winning the admiration of more firmly established contemporaries.

It is King, educated both as an academic and a businessman, who is the main impetus behind the press. His English father and Welsh mother, now citizens of the United States, liked everything about the country except the educational system. "Consequently," says King, "I was packed off to England at three, and did not return until I was 26." He studied at Cambridge, and then continued in advanced graduate work at the Shakespearean Institute at Stratford-on-Avon. He became dissatisfied with the academic life and came to New York to work in publishing. He was not immediately successful and became an executive with a large pharmaceutical corporation. "I was absolutely astounded at the amount of money it was possible to make," he recalls, "because I had just come out of this very academic environment... which oddly enough I'm very grateful for, because very few people in publishing have had management experience in industry; very few people actually *know* how things are done in larger corporations. I really learned an awful lot about how American business works, and I'm very grateful for it...It is still useful to me to remember how things are done in that hard, impersonal world of the big corporation where profits are everything.

Eventually, however, his hopes were realized, and he found a position at Oxford University Press in New York. He later went to the New York University Press, where he moved up through the ranks to the position of managing editor. On November 7, 1966, he began his duties as director of the University of South Carolina Press, which that time, was releasing only one title per year. Today, it has between thirty and forty titles, and the quality as well as quantity of the published work is increasing.

It is the book list that clearly defines the importance of the press. If not a garden of earthly delights for the man-on-the-street, it is precisely that for the scholar, and therefore makes its presence felt in almost every country in the world. The major project, and perhaps one of the largest and most complex of any scholarly achievement to date, is the publication of *The South Carolina Shakespeare* a forty-one volume set that will take about twenty years to complete. King is quite frank about its worth and realizes the essential problems that such a text raises. "Who needs another edition of Shakespeare?" he asks. "If you are going to do another edition of Shakespeare, the least you can do," he muses, "is to get your pages right. And we have spent something like three thousand dollars already on sample pages. But it is not just a question of what we think looks nice; it's a question of what the scholars really want."

And the scholarship, under the general guidance of Dr. J. Leeds Barroll, Director of Shakespearean studies at the University, is impeccable, making the edition among the most reliable in the world. For one thing, the *South Carolina Shakespeare* will maintain the original spellings. "Most editions of Shakespeare that you pick up in the bookstore," King states, "do not have the old spellings; they've modernized. The scholars want the old spellings because, quite frankly, when you take old spelling and modernize it, you are editorializing, sometimes unconsciously. *Does* the word mean exactly what it looks like if you modernize the spelling? Well, if you just put it into modern spelling, you tend to assume that it does. But it doesn't always. Scholars feel a great need for an old spelling edition."

The "South Carolina Shakespeare" will also be the only Shakespearean text to employ two line numbering systems. The first system, concerned with that particular edition, will be based on the physical layout of the actual text and in effect will differ little from previous texts. The second system, however, will be unique, for it is the recently acclaimed universal standard for numbering the lines in Shakespeare's work. This ''TLN'', of ''Through Line Numbering", will make reference work both easier and more accurate, for even though scholars may themselves use more than one text, the TLN is a fixed standard. Although it is admittedly of little value to the layman, the *South Carolina Shakespeare* will be immensely valuable to Shakespearean scholars and students all over the world.

Other University of South Carolina Press publications are also enjoying distinction. Howard Goldstein's *Social Work in Practice: A Unitary Approach*, has been well received in Japan, and has sold more copies there than in South Carolina. *Racism in U.S. Imperialism: The Influence of Racial Assumptions on American Foreign Policy*, by former South Carolinian Rubin Francis Weston, is now a prominent text in the black studies program at Harvard. It is also of interest to note that *The Letters of John C. Calhoun* is being stocked by the larger libraries in England and France.

One of the more exotic, though extremely scholarly, publications is a volume on Islam, the fifth book of a series entitled *Oriental Studies*. It is noteworthy because the the printing problems raised in the text. Since a great deal of the text is in Arabic a specialized printing press was need. Portions of the book were printed in England, while others were done in Holland and Lebanon.

It is erroneous, however, to assume that the University Press publishes only books of an extremely academic nature. There are books of South Carolina folksongs, birds, flowers, cooking, and politics, as well as more technical works on engineering.

King is a soft-spoken man with enormous energy, and has a hobby that reveals him to be every inch a word man. "I collect prepositions," he announces happily, "I really do. I discovered two prepositions in South Carolina—'upside' and 'downside', as in 'I will hit you *upside* the head," he laughs, "and 'Where is he? He is *downside* the barn.' Now. Those are prepositions. 'Upside has got to be a preposition. I haven't found it in any dictionary. I never met them before until I came here," he says, referring to the words as one would chuckle about slightly off-beat friends. "I have at home an alphabetical listing of every preposition that I've ever been able to track down with notes on it. My retirement project will be to write *the* book on prepositions. Where can you go," he laughs, " and find a listing of every prepositions there is in English, with notes on when it was first used. There are odd ones, for example, like 'anent', a very nice one, a Scottish one, which means 'concerning' or 'about'. We are talking *anent* scholarly publishing. But it is the common preposition that is the most interesting. Did you know," he continues, "that 'off' and 'of' were originally the same word? You go back far enough and they're the same word. They separated into two words about a thousand years ago."

The plain fact is that Robert King is every inch a word man, and an expert word man at that. Why in the world, one wants to know, did he come to South Carolina, when there were so many other opportunities, and why is he so insistent on remaining here, in the midst of many other attractive offers? "Well, the place was small enough that one could have effect. The Press as an institution was small enough that I didn't have this immense dead weight of precedent; I didn't have departments of thirty or forthy people whom I had to turn around." Moreover, he has been able to take gambles, and thus gain impressive results. He gives President Thomas Jones much of the credit. "We can do some wildly experimental things here," he says. "We are carrying out experiments which quite frankly I could not carry out in the University itself were not sympathetic. The truth of the matter is that Dr. Jones has genuinely established an atmosphere in which you can stick you neck out."

Regretably, many university presses are not so fortunate, for although they do not have to worry about making money to sustain themselves, as is true of commercial houses, they are still many times vulnerable to political interference from the University as well as state politicians. King has had no such problems, and is quite relieved to have found this the case, although he does admit that one in his position must be tactful.

King has certainly taken advantage of his freedom and has received winces as well as praises from his professional colleagues. The problem of book distribution has always been the primary cause of the publisher's hangovers and ulcers, and King himself has found a daring and extremely workable way to deal with it. Traditionally, and tradition dies slowly in publishing, the publishers themselves reimburse the stores for the books that are not sold. This method has cut profits, created problems in transportation and storage, and has created the additional problem of disposing of shopworn books. Rather than reimburse the store for the books unsold, King offers discounts, very healthy ones from twenty-five to fifty percent, per order. The store does not get reimbursed for the books unsold, although they save money while buying at those discounts. So far the system has proven to be very workable, although more conservative publishers still view it as madness. King also sells directly to the individual, a practice virtually unheard of in major publishing houses. The University of South Carolina Press, then is not only setting trends in scholarly publishing, but in the business aspects as well. It is in the process of placing itself very solidly on the domestic and international maps of publishing.

King is impressed with South Carolina, not only because of its potential, but because of its actual accomplishments as well. "I really didn't know much about South Carolina at all, " he recalls. "In fact, the only thing I really knew about the University, and I think this is very significant, because this is part of what the Press is all about, is when I was a graduate student working on Shakespeare. This," he says, holding a copy of the "Dictionary of French and English Tongues," "was an essential reference for me. Published by the University of South Carolina Press in 1950...This was what the scholars in Europe knew about the University of South Carolina. In fact, the *only* thing that many people about the *state* of South Carolina was that this (the dictionary) had been published there. It had South Carolina's name on it. Which is of course one of things that a university press does; it is at least a testimony in London, in the British Museum, in the Shakespeare Institute at Stratford-on-Avon, in the libraries at Oxford and Cambridge, and in the big reference libraries in places like Germany, Japan, France, and Italy. Where there is advanced graduate work being done, there is testimony that something comes out of South Carolina other than news stories about school buses being overturned, which is what, you know, many of those people out there think about South Carolina. They have this *strange* image of South Carolina, and one of the things the Press can do, I think, is to counter-act that. At least I can see things changing; at least I can see improvement here at the Press, and also at the University and in the community. This is actually a very exciting time to be in South Carolina. Sherman said it would be hundred years before South Carolina recovered. He *said* it, and by golly, he had it almost to the minute, because lo and behold, 100 years after the Civil War we see economic recovery all around us...after a hundred years of sleep, the sleeper has awakened."

Cinema/'Last Tango In Paris'

It's just not the same

"...It does not titillate and is not a means of escape from the ultimate horror of our lives. It is a confrontation with it..."

by Gary Ligi

I am not ashamed of the wren's murders
Nor the badger's dinners
On which all wordly good depends
If I were not human I would not
be ashamed of anything.
W.S. Merwin, "Avoiding New by The River"

One day the world was whole. The next it was divided. A man awoke with his head crammed full of "thou shalt not's," his vocabulary suddenly including the curious words: *obscene, unnatural* et cetera. These terms the man chose to apply to such observable and apparently necessary functions as urination, defecation, fornication, et cetera. Thus, man created shame and made it an ideal to live by, creating a god in his own image, forbidding that god to act in the manner of any other creature on earth. He took his god and built for him a heaven and built for himself a hell. He said his god's heaven was not of this earth. Then he begged his god condemn each man's inevitable unavoidable transgressions. And the planet began to die.

So it has gone. So it continues to go.

Fortunately, though, there have been and are those among us who continue trying to open our eyes to what we are—our lives, our dreams, pretensions, fears, lies—once the age-old crust of idiocy and mistaken definition is torn away; those who simply refuse to let this world complete the suicide one many began with his "thou shalt not's" so many centuries ago. The German poet Rilke spoke the truth when he wrote: "Art runs contrary to nature," but neglected to add: "As does government, morality, formalized religion, et cetera." These substantives are not to be found in the natural world. They just aren't there. Accordingly, the most unnatural of all unnatural acts thus far committed in this solar system has been mankind's begetting what it believes itself to be. And all of our shame arises from this: the rage and loathing we experience when we come to realize how utterly we have failed ourselves, how monstrously our most monumental of creations has turned out. We can't stand to look it in the face. We don't want to see it at all.

It is for this reason that artistic efforts most often find themselves banned from the public. Not because they are obscene, not because they are pornographic, but rather because they represent the visions of *individuals* who stand apart from the fictions of "thou shalt not" and recreate what they really see. While the current controversy whirls around *Last Tango in Paris*, there are books, magazines, recordings, and films available throughout the United States designed with the express purpose of exciting the masturbator, the sado-masochist, the titterer, or the fetishist. Moreover, they will continue to remain available. Why? Because they are not art, are not trying to inform, to speak, to teach. Because they are pornographic, produced to induce people to be blissfully guilt-ridden instead of thoughtful, temporarily relieved rather than released. Because it's good business.

Last Tango in Paris, on the other hand, does not titillate, is not a means of escape from the ultimate horror and absurdity of our lives. It is a confrontation with it. What director Bernardo Bertolucci has offered us in this film is the work of genius—a painfully comic and intense view of a meeting between the natural and unnatural sides of human existence, the war that ensues, and the consequences of that war. And although the film may offend some viewers, leave others angry, disgusted or despondent—and still others inwardly chuckling at Bertolucci's sense of comic despair, *Last Tango in Paris* is no more pornographic than the average news report or the average football game.

The story focuses on Jeanne (Maria Schneider) and her relationships with Paul (Marlon Brando) and Tom (Jean-Paul Leaud). It is through Jeanne that the message of *Last Tango* is finally transmitted to us, but it is Bertolucci's subtle orchestration of scenes of beauty, bathos, brutality, and humor, his skillful pacing of comic and dramatic sequences, his fine sense of characterization, and his nearly always perfect choice of the right detail—the right line of dialogue—that make the message possible at all.

And the message is this: people are seldom what they seem because they are never what we think they are or want them to be.

Paul is an American ex-patriate whose wife has committed suicide. He is the primal, physical man, governed by his sexual and emotional needs. When his affair with Jeanne begins, he tells her there will be no names, no news of the world outside the apartment where the two of them meet to perform ritualistically brutal and animalistically urgent acts of love. Paul is trying to cut himself off from the world he has known: from his wife's suicide, her infidelities while still alive, her mother's persistent questions, and—most importantly—his own questions. The world he chooses to share with Jeanne is the world before "thou shalt not," and it is exactly this quality that attracts Jeanne to him.

Tom is Jeanne's fiance. He can offer her the security, affection, and dreams a twentieth century human has been taught to need. Bertolucci portrays Tom as a comic adolescent drawn to the point of total absurdity. Tom has chosen to film the "true story" of his and Jeanne's blossoming love affair—a perfectly respectable one: chaste, childishly turbulent, leading to a marriage with children, etc.—and virtually every scene in which Jeanne and Tom appear together, his three-man film crew is not far away. The effect produced when a seemingly spontaneous declaration of love is suddenly interrupted by a young man's swinging a sound boom into the picture borders on the ridiculous, and at the same time, serves an important purpose of allowing a distinctly clear contrast between Paul and Tom.

And finally there is Jeanne—torn between her animal instincts and her civilized habits. On the one hand, she is drawn toward the dark, mysterious, primevil beast-man in Paul. On the other, she doesn't want to lose her grip on the world outside the bestial room. Whereas Tom tells her too much, Paul tells her too little. Whereas Paul won't share the public world with her, Tom won't share the private one—as is evident in the scene where Tom tells Jeanne that they can't be like children because they *aren't* children. There will be little spontaneity with Tom. And while Jeanne tries to puzzle out the meanings of what is happening to her, other wheels are set in motion which will allow her to avoid making the choice between the two worlds.

In a lengthy soliloquy beside his wife's corpse (the entire chronological time involved in the film is three or four days), Paul reveals himself to be a man quite unlike the one we have seen with Jeanne or anyone else. He is a frail man, a tortured, broken, even tearful creature (hinted at very early in the film)—plagued by self-doubt and cursed with the realization that he had never known his wife and now he will never be able to know her: why she committed suicide, why she was unfaithful, why she gave her lover a bathrobe identical to his own. He also learns he cannot be the Paul of the apartment, that he cannot be alone—because he wants to *know* somebody.

Jeanne, in the meantime, has come to the apartment expecting the usual, only to find the apartment deserted. As she is leaving, Paul overtakes her. Once again, she tells him *this* time it is over. But Paul explains "When one thing ends, another begins," and proceeds to tell Jeanne everything—to answer all the questions she has been asking all along—and it terrifies her because Paul was no longer the man she thought him to be. As long as he was the sexual, brutish beast she could handle him, even love him, but this Paul was a stranger—someone totally different from what she expected of him.

Then there is the last tango in Paris and the culmination of all the separate revelations of the film. Paul follows Jeanne to her own apartment, mouthing away many of the same dreams Tom had earlier expressed, and is shot for his troubles. Once again, Bertolucci manages to fuse the absurdly comic with the horrifically real: Paul walking into the balcony muttering about how their children will remember this day, calmly removing his gum from his mouth and sticking it under the railing before keeling over; Jeanne mumbling: "I never saw him before. He wanted to rape me. I never saw him before." More torturous words over yet another corpse.

One day the world was whole. It hasn't been the same since.

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Music: 'Report,' McLaughlin and Santana

by Gary Ligi

Three or four years ago, Miles Davis released "Bitches Brew," a twin LP set hailed immediately and almost unanimously as the most important development in contemporary music since the introduction of electronic equipment. I purchased the album, listened to it closely a couple of times, and couldn't honestly see what the kudos were about. The only active response "Bitches Brew" elicited was occasional rage at the way Miles' trumpet managed to destroy some occasionally fine piano and guitar work. But, for the most part, the album simply bored me to sleep. It was lacking in the one characteristic all good contemporary music possess: the fusion of spontaneity and inevitability. If "Bitches Brew" had been a printed page, it would have had too much white space and not enough meat. As music, it was too much dead air and not enough humanity. In short, Davis had neither the knowledge nor the intuition to make it work.

All good art creates itself. Music is at once the most immediate and the most complex. From the time the first note sounds, a kind of extra-dimensional hunk of stone appears and it is the task of the artists involved to shape that invisible stone into a meaningful sculpture by manipulating such variables as tone, volume, texture, space, and time. If handled correctly, the completed work courses through the bloodstream and enters the brain and soul simultaneously as an aesthetic form termed "art." And as art, this form has two important advantages over other twentieth century modes of aesthetic expressions: it isn't locked away in museums, confined to theatres, screens, or visible frames; and music—like laughter—is a universal language defined within the body of the individual rather than on the page.

At least four men who played on "Bitches Brew" have recognized the potential power of work with sounds and rhythms: Zoe Zawinul (keyboards) and Wayne Shorter (sax) going on to form Weather Report, while Larry Young (now Khalid Yasin) has joined Mahavishnu John McLaughlin on two of the six albums the latter has released since splitting with Davis. These four have gone on to produce some of the most exciting music around today and have revealed Ralph Gleason's liner note comment that "in contemporary music miles defines everything. that's all. it's his turf" to be the grossly inaccurate and misguided critical judgement it always was. When listening to the music this foursome has produced since "Bitches Brew," it is hard to believe that they ever had anything to do with the album at all. This is not to say that Mahavishnu and Weather Report are alike. They have as little in common as they did with Davis.

Weather Report's latest, "Sweetnighter", seems to owe a far greater debt to Frank Zappa and his Mothers of Invention than to anything else. The mini-orchestra concept employed by Zawinul and company has obviously been influenced by Zappa's early experiements with percussion, reeds, and keyboards. The one immediately obvious exclusion is Zappa's own formidable guitar. Mahavishnu John McLaughlin, on the other hand, is a truly unique phenomenon in contemporary music—a man who has gone to God through a guru and returned with a guitar with which to lead other lost souls to ultimate pain and ultimate beauty. His current LP features Carlos Santana, whose recent emotional, spiritual, professional and physical difficulties have been well-publicized and whose discovery of McLaughlin's work and Sri Chimoy's philosophical doctrines are probably the best things that ever happened to him. On "Love, Devotion, and Surrender" he gets a chance to do things with his guitar that he never could have done with his former group.

At the same time, "Sweetnighter" and "Love Devotion and Surrender" reveal that neither Weather Report nor McLaughlin is content to go with what has proven successful for them in the past. There is always something new to explore. Whereas Weather Report's last effort, "I Sing the Body Electric" was reminiscent of the brief poertic interludes in much of Zappa's work in the mid-to-late sixties ("We're Only In It For The Money," "Lumpy Gravy," etc.), "Sweetnighter" acknowledges the regular beat of later Zappa work: "Hot Rats," "Waka Jawaka", and "The Grand Wazoo." Whereas "I Sing the Body Electric" was basically accoustical in its approach, "Sweetnighter" recognizes the value of electronics with Zawinul's supplementing his piano work with a synthesizer. The result is the latest album rocks more at the expense of the melodic interplay possible when Weather Report had a far less regular beat and a greater selection of instruments to choose from: 12 string guitar, trumpet, flute, and even human voices—voices as instruments, not as vehicles to mouth words conveying (supposedly) meanings. As a matter of fact, of the nine albums offered by Weather Report and Mahavishnu John McLaughlin thus far, only "Love Devotion and Surrender" has a recognizable word anywhere in the grooves.

"Sweetnighter" goes so far in acknowledging Zappa on certain cuts as to employ two drummers, two percussionists, and a bassist—leaving all of the "melodic work" to Zawinul and Shorter. Still, the overall effect is s good one, a successful one that forces the listener to reconstruct a sensual situation in his body which will cope with the sounds filling the room. I find "The Boogie Woogie Waltz" works particularly well with me and compares favorably with Zappa's "Eat That Question" on "The Grand Wazoo". They both have the same kind of processional grand-march style about them that Cecil B. DeMille would have put on film if he had had any taste.

Miroslav Vitous (bass) has a fine little piece on "Sweetnighter" entitled "Will." Shorter wrote "Manolete" and "Non-Stop Home," while Zawinul composed the remaining three pieces. A fine album, worth having—along with Weather Report (the first album) and "I Sing the Body Electric" (my favorite thus far). What Zawinul apparently realized is that there *is* finally an audience for the type of thing The Mothers have been doing since 1964, and he has zeroed in on it. Perhaps Zappa is doing the same: his last two albums—"Waka Jawaka" and "The Grand Wazoo"—have gotten away from the "comedy group" concept he had been using prior to the emergence of Weather Report. Maybe these two groups have something to say to one another.

Mahavishnu John McLaughlin, always unpredictable, seems to have returned to the one real antecedent he has—himself; and particularly to his "Devotion" album (which also featured Buddy Miles, Billy Rich, and Larry Young). "Love Devotion and Surrender" is an obvious departure from the intricate harmonies and unisons which made "The Inner Mounting Flame" and "Birds of Fire" such exquisite works of art. Simultaneously, McLaughlin has revised the heavy bass sound of "Devotion" and though the album features three dummers, a percussionist, a conga player, a bassist, and Khalid Yasin's organ, the real focus in "Love Devotion and Surrender" is upon the agony two guitars can express when playing together rather than opposing each other.

Carlos Santana is given the biggest piece of this recording, and he handles it with every bit of confidence a true master of strings can summon. "Love Devotion and Surrender" obviously offers the question: "Which is better—Santana or McLaughlin?"" and the album answers itself as obviously: "Who cares? What's the point?" These are two painfully intense sides of music. Everything McLaughlin has had a hand in is. But it is beauty and ecstacy as well. Listen to "A Life Divine" and hear how Carlos' fingers can *cry*. Hear how two men can become one man, one man to wail a *true* spiritual message while the Jesus freaks, the Buddhist freaks, and the Hare Krishna freaks wander aimlessly through the streets.

Listen to the whole album and tell me what the point really *is* if not to share an experience with another human being.

For, after all, these men are only human—believe it or not. They ache, they bleed, they die, and they are hungry.

They need you.

The music says it all. McLaughlin's more for me than anyone else's. I feel I love these men. And it's not a bad thing. "Love Devotion and Surrender" and "Sweetnighter" are both worth owning, both demand listening to: they are everything a human has to say.

For now.

Van Morrison's initiation album

by Tom Priddy

Hard Nose The Highway
Van Morrison
Warner Brothers

Somebody just told Van Morrison the facts of life. And Van apparently finds the knowledge depressing and can't believe people really act that way.

Morrison's latest album, *Hard Nose The Highway*, is a lot like Paul Simon's first solo album. Although it's the sixth record for Morrison, it's the first in which he has alluded to real events and realistic situations.

Van Morrison has always been adept at making mood albums. His earlier albums included very long cuts, like "Moondance," which were rambling, moody and sometimes whimsical. Later albums included shorter cuts with happier, brighter moods, and titles like "Crazy Face," "Gypsy Queen," and "Call Me Up In Dreamland." They were almost all fantasies, although probably based on real people and they were generally light, happy songs.

Then Morrison hit an even better stride on his last album, *Saint Dominic's Preview*. It was just the right blend of the old moody songs with long instrumentals and the better writing of the later albums. Two of the songs were autobiographical, something he hadn't done before. "Listen to the Lion" was about all talk, no action stance, and the title song was the story of his life, from Belfast to the coffeehouse circuit. They were mixed with illusions and dreams, however, and the blend made them quite enjoyable.

On *Hard Nose The Highway* Morrison for the first time continually presents a dreary picture of war, poverty and depression, and since he never comes to any conclusion, we feel a little confused ourselves. When Morrison sings, "I just can't stand it, stand it no how, Living in this world of lies," there is nothing you can do but give a small, private shudder and wonder what has gone wrong with the dreamy optimist.

Most of the songs of reality are contained on side one, in a sort of song cycle. Morrison seems more acutely and painfully aware of the things that have always gone on. "Snow in San Anselmo" begins the album with a dreary picture of massage parlors and 24-hour pancake houses--a far cry from "Old, Old Woodstock" and "Tupelo Honey" of earlier albums.

In the title song he sings, "Seen some hard times, Drawn some bad lines, No time for shoeshine, Hard Nose the Highway." And in "Wild Children" it's "Rod Steiger and Marlon Brando, Standing with their heads bowed on the side, Crying like a baby thinking about the time James Dean took that fatal ride, took that ride."

As on most of the new songs, the music and lyrics are not evenly matched on "Wild Children." While singing about tragedy and death he has light music flitting through the background. Even on "The Great Deception," his most pessimistic, most depressing hardest-to-listen-to song ever, he chooses a tempo that is too fast and too gay. With those lyrics, though, it's probably a good thing that something is light. "Have you ever been down to love city, Where they rip you off with a smile, And it don't take a gun. Don't hurt so bad in love city, Don't it make you not want to bother at all, And don't they look so self-righteous, When they pin you up against the wall." He comments about rock and roll singers with "three or four Cadillacs," undiscovered artists, Hollywood actors and phony hippies. It takes a long time to recover from that one.

Side two is almost a complete switch. The songs are bright and lively and the music is entertaining and enjoyable. But for some reason the music is such a complete reversal of side one that the lyrics turn out to be drippy, sweet and self-conscious.

"Green," by Joe Raposo, is the only cut Morrison didn't write himself, and the lyrics are genuinely amusing. Although Morrison can sing with whimsy in his voice he has trouble conveying the real humor of this one: "It's not that easy being green, Having to spend each day the color of the leaves, When I think it could be nicer bein' red or yellow or gold, Or something much more colorful than that." Loudon Wainright III could do a job with those lyrics, but Morrison sings them in pure deadpan. You have to read the lyrics just to find out it's funny.

"Autumn Song," given to a good screenwriter, could turn into a terrific sequel to Bing Crosby's "White Christmas." Morrison sings, "Chestnuts roasting outside as you walk, With your love by your side, The old accordion man plays mellow and bright, And you go home in the Christmas of the night." The music on this one, however, is excellent, and Morrison turns it into the best piece on the album. Brushes on drums rattle in the background as he drifts in and out of a couple of melodies.

"Purple Heather" continues the drippiness with lines like, "I will build my love a tower." Although, like everything on side two, the music is typical Van Morrison, the lyrics are hard to take. Morrison seemed to be good at fantasy when he was in control of it. But the harsh reality of side one clashes horribly with the fantasy of side two. There is a possibility that Morrison intended the second side to show how fantasy and dreams can counteract depressing realities, but if that was the intention it doesn't come across as it should.

This is the first album Morrison recorded at his Caledonia Studio, and the sound is not as good as it has been. He starts with a smaller group than normal, but only the sax and piano are used as effectively as in the past. Jef Labes, who played on Jonathan Edwards' first album, is excellent throughout on piano, and an unidentified sax player left an amazing solo in the middle of "Green." But Morrison's voice is not quite as clear as it should be.

It's hard to believe Van Morrison could be as confused as he appears on *Hard Nose The Highway*. He hid the depression very well for five albums, and provided a lot of entertaining up from a lot of our pretty bad downs. This album won't provide ups for anybody. The conclusion has to be that he was attempting a contrast of sorts between the reality of side one and the escape and pleasure of side two. But both are such extremes that they only serve to tear each other apart. Morrison's first attempt at real people and real situations is a painful, often embarassing experience, just like the ones he must have lived through before he wrote it.

If this is any indication of his success in dealing with reality, then I'll just go back to his dreamland.

EVENTS & entertainments

Aug. 15-21

cinema

Moviegoers are advised to call ahead to check showtimes for movies, since many area theatres are given to last-minute changes.

ATLANTIC I THEATRE, 3220 Two Notch Road, 787-1225

"Cleopatra Jones" is another Black Superwoman flick, this one authorized by the U.S. Government to bust a drug ring. Stars Tamara Dobson and co-stars Shelley Winters. Features start at 3:30, 5:30, 7:30, and 9:30 p.m. Rated PG.

ATLANTIC II THEATRE, 3220 Two Notch Road, 787-1225

"Last Tango in Paris" stars Marlon Brando and Maria Schneider. See Review in this issue. Shows begin at 3, 7:30, and 10. Rated X.

CAROLINA THEATRE, 1223 Main Street, 252-8011

"Live and Let Die" concerns the efforts of the new Bond (this time its Roger Moore) to halt a plot to flood the world an over-supply of heroin. Shows at 12:30, 2:40, 4:50, 7, and 9:10 p.m. Rated PG.

DUTCH SQUARE NORTH THEATRE, Dutch Square Mall, 798-1100

"One Little Indian" and "Lady and the Tramp" in a Disney doubleheader for the kids. Complete features at 2,5, and 8 with a special early matinee showing on Saturday at 11 a.m.

DUTCH SQUARE SOUTH THEATRE, Dutch Square Mall, 798-1100

"Paper Moon," starring Ryan O'Neal and his daughter, Tatum in one of the summer's best. In its eighth week here. Shows at 1:30, 3:20, 5:10, 7 and 9 p.m. Rated PG.

FOX THEATRE, 1607 Main Street, 254-5212

"Blume in Love," with Susan Anspach, George Segal, and Kris Kristofferson, and directed by Paul Mazursky. Segal stars as a Beverly Hills divorce lawyer who alienates the affections of his wife and then tries desperately to win back her love after they are divorced. Rated R. Shows are at 1, 3, 5, 7, and 9.

GAMECOCK THEATRE, Parkland Plaza, Cayce, 796-0022

"The Sound of Music", starring Julie Andrews. Rated G. Shows at 2:10, 5:20, and 8:30 p.m.

GAMECOCK II THEATRE, Parkland Plaza, Cayce, 796-0022

"Butterflies are Free," starring Goldie Hawn. Rated PG. Showtimes unavailable at deadline.

JEFFERSON SQUARE THEATRE, 1801 Main Street, 254-6731

"Cahill" starring John Wayne as a United States Marshall. Shows at 1, 3, 5, 7, and 9 p.m.

MIRACLE THEATRE, 1228 Main Street, 256-1950

"Sssssss" begins Friday, August 17 and co-stars Strother Martin, Dirk Benedict, and Heather Menzies. Rated PG. Showtimes unavailable at press time.

PALMETTO THEATRE, 1417 Main Street, 254-5800

"Jesus Christ Superstar" starring Carol Anderson, Yvonne Ellman, and Ted Neeley. Shows at 1, 3, 5, 7, and 9 p.m. Rated G.

PLAZA III THEATRE, 1323 Main Street, 254-7960

"Walking Tall," now in its third week. Shows at 12:40, 2:50, 5, 7:10, and 9:20. Rated R.

RICHLAND MALL THEATRE Richland Mall Shopping Center, 782-2228

"Mackintosh Man" starring James Mason, Paul Newman, and Dominique Sanda and directed by John Huston. Shows at 1, 3, 5, 7, and 9 p.m. Rated PG.

CAMPUS FILMS

Unless otherwise indicated, the Russell House films are free to students, faculty, and guests and begin each weeknight at 7 and 9 p.m.

August 15—"Strike Up The Band" with Mickey Rooney and Judy Garland in a big Hollywood musical with Garland doing a take-off on Carmen Miranda.

August 16—"Tarzan and His Mate" with Johnny Weismuller and Maureen O'Sullivan. An evil hunter challenges Tarzan to no avail.

theatre

FLAT ROCK PLAYHOUSE located between Greenville and Asheville on Highway 25, presents "Teahouse of the August Moon," John Patrick's Pulitzer Prize-winner starring Don Dubbins. Shows are presented at Flat Rock on Tuesday through Saturday at 8:30 with matinee shows at 2:30 p.m. Wednesday and Saturday. Tickets are $4 and $3.50 with children admitted to the matinee for $1.50.

specials

FOURTH ANNUAL FOOTHILLS ARTS AND CRAFTS GUILD FESTIVAL will be held in Pendleton on August 18 and 19 with exhibits, booths, and artists at work on various media, crafts and demonstrations on the square in Pendleton.

SEVEN COLUMBIA ARTISTS—showing at the Columbia Museum of Art through August. Contemporary paintings, woodblocks, grahics, sculptures, etc. Located at the corner of Senate and Gregg Streets. Open Tuesday through Sunday.

television

Thursday, August 16

10 a.m. -- Not for Women Only features Women in Sports. Barbara Walters' guests include Curry Kirkpatrick, associate editor for Sports Illustrated, former football player Ann Cavallaro and former umpire Bernice Gera. (Channel 25)

8 p.m. - "Alaska." A National Geographic special on the rugged natural beauty of the Alaskan wilderness and the history of its people. (Channel 10)

9 p.m. -- Movie – "Last of the Secret Agents." Allen and Rossi in their movie debut, a spoof on secret agent flicks. (Channel 19)

10 p.m. – Country Music. Marty Robbins, Hank Williams, Jr., Tammy Wynette and Donna Fargo bring it all down home. (Channel 10)

10 p.m. -- Evening at Pops. Boots Randolph plays his sax. (ETV, Channel 35 in Columbia and area)

11:30 p.m. – Tonight Show. Tom Weiskopf, singer James Brown, and impressionist Rich Little are scheduled to share the stage with Johnny. (Channel 10)

Friday, August 17

10 a.m. -- Not for Women Only continues its interviews with women in sports. (Channel 25)

8 p.m. -- NFL pre-season football pits the Redskins against the Buffalo Bills with chatter by Don Criqui and Irv Cross, two of the most incompetent announcers ever assembled in one press box. (Channel 10)

8 p.m. -- Major League Baseball with the Atlanta Braves meeting Montreal. (Channel 25)

11:30 p.m. -- In Concert - John Sebastian, Black Oak Arkansas, Lee Michaels, the Nitty Gritty Dirt Band, and the Electric Light Orchestra in a good, well- balanced show. (Channel 25)

1 a.m.-- Midnight Special- Comedian Rich Pryor is the host. Cajun musician Doug Kershaw, blues singer Albert King, Joe Walsh and the Electric Light Orchestra (where did I just see them)

Saturday, August 18

1 p.m. -- World University Games. This first hour features the women's gymnastic team events, the men's shotput finals, the women's 100 meter eliminations and the mens 400 meter eliminations. (Channel 10)

5 p.m.--World University Games. This hour features the finals of the men's 10,000 meter competition, and eliminations in the men's 100 meter and the women's 800 meter. (Channel 10)

8:30 p.m.--Playhouse Biography. "Tolstoy" Television drama about the life of Russia's great novelist including an interview with his only living relative, his 89-year-old daughter Alexandra. (ETV, Channel 35)

9 p.m.--NFL Pre-season football. The Minnesota Vikings take on the Chiefs in Kansas City. Ageless Len Dawson will pilot the Chiefs against scrambling Fran Tarkenton's Vikings. (Channel 10)

11 p.m.--Movie. "House of Horror." The Dodge Horror Classic this week, with William Gargan. (Channel 19)

12:30 p.m.--Cinema Ten. "Destination Gobi," stars Richard Widmark in this adventure story of weather experts stationed in the remotest part of the Gobi Desert during World War II. If you stay until 2:30 a.m. to see the finish, you're the hero. (Channel 10)

Sunday, August 19

1 p.m.–Movie. James Mason in "Five Fingers," the true story of one of the master agents of the Second World War.

2 p.m.–Sunday Baseball. Pop a top and watch the Braves work over Montreal. (Channel 25)

4 p.m.--World University Games. Special features coverage of the Men's gymnastic team events, the men's and women's 100 meter finals, men's javelin finals, basketball, volleyball, and water polo highlights. (Channel 10)

6 p.m.–CBS News Retrospective. (Channel 19)

9 p.m.–Movie. "The Blue Max," George Peppard, Ursula Andress and James Mason. This World War I flying saga is a bit overdone, but manages some well-staged and well-photographed aerial flights. (Channel 25)

11:15 p.m.--Special. "Stick and Bones," Channel 19. David Rabb's Tony-award winning play was cancelled by CBS from its original March, 1973 scheduling because of the return of the POWs from Vietnam. Harsh satire and painful truth plague the return of a blinded combat veteran as the anguish of the war and its aftermath become increasingly real. The barriers build between him and his family as he explains his guilt about the atrocities he has seen. They cannot understand, communication fails, and they all despise one another. One critic commented, "I cannot recall anything on commercial television of an intensity comparable to this production."

WNOK had a major special slotted for Friday night, when the movie will runover most CBS stations, but will tape "Sticks and Bones" for this special Sunday showing.

Monday, August 20

7 p.m.--Man Builds, Man Destroys. A look at the worldwide problem of trash, junk, garbage, litter and its disposal. (ETV, Channel 35)

9 p.m.--Monday Night Movie. "Rogue's Gallery." That's all we know and it doesn't sound promising. (Channel 25)

11:30 p.m.--Movie. "Tiger Bay." Great suspense flick with John Mills, Hayley Mills, and Horst Buchholz. This flick launched Hayley, but don't hold that against it. Really good. (Channel 19)

Tuesday, August 21

This is generally a good day to have your television set worked on.

11:30 p.m.--Movie. "Mr. Buddwing," with James Garner. (Channel 19)

Wednesday, August 22

7 p.m.--Special. "Little Big Horn." (Channel 10)

10 p.m.--World University Games. Features men's women's individual gymastics finals, men's discus finals and diving and basketball highlights. Also many other finals. (Channel 10)

11:30 p.m.--Movie. "Side Street." Low budget gangster movie with predictable plot but Farley Granger and Cathy O'Donnell are good as a pair of unlucky newlyweds. (Channel 19)

concerts

MANDRILL in concert at the Carolina Coliseum on August 17. This one gets underway at 8 p.m. and tickets will cost you $5.50, $4.50 and $3.50. Tickets are on sale at the usual Coliseum outlets.

SHA NA NA will present its "Golden Age of Rock 'n Roll" show at the Carolina Coliseum on August 24 at 8 p.m. Dr. John is also on the program. Tickets are now on sale at the Coliseum ticket office and ticket outlets around the city.

LEON RUSSELL will appear in the area again with concerts in Atlanta and Charlotte upcoming. The Atlanta concert will be on August 16 and the Charlotte concert will be August 18 at 7 p.m. (doors open at 5:30 p.m.) in Memorial Stadium. Tickets for the Charlotte concert are set at $5.50 (advance) and $6.50 (at the door). Tickets are the Charlotte concert are available from Kaleidoscope Productions, Box 12722, Charlotte, N.C. Please send along a self-addressed, stamped envelope to expedite matters.

ROGER McGUINN, who used to be with the Byrds, has scheduled a show for Wednesday, August 22 at the Municipal Auditorium in Atlanta.

SHA-NA-NA, the veteran rock and roll band, will appear in Municipal Auditorium in Atlanta on Thursday, August 23. Wet Willie will also appear on the program.

THE STYLISTICS, with Joe Simon and his band, will appear on Thursday, August 16 at the Charleston Municipal Audtorium. Tickets are on sale July 30 for $5. Mail check or money order to: Charleston Auditorium, Box office, C/O

CHEECH AND CHONG, a comedy team, will appear at the Symphony Hall in Atlanta on Friday, August 24.

new albums

BREEZY STORIES (Atlantic)—Danny O'Keefe. It doesn't take a Woodward and Bernstein investigation to see what an amazing jump Danny O'Keefe has made in the last year. After his success with "Good Time Charlie's Got the Blues" confidence has gone to his head and he's managed to put together a very consistent album with each song as good or better than anything he's ever done. The writing is quite good, with most of the lyrics taking on a purposefully ambiguous tone; most of them purport to be about two things at once, and except for songs like "Junkman", which is a little too obviously only about drugs, the double entendres really work. Some songs, like "Mad Ruth/The Babe," are a little disturbing in their second meaning, but all are successful nonetheless. Incidentally, the co-conspirators in this case are all listed plainly (Dr. John, Donny Hathaway, David Bromberg, and Bernard Purdie) and the excellent musicians make for a very well-paced and enjoyable album.

FORWARD MOTION (Warner Brothers)—The Section. The point of The Section's first album was, I believe, to show what these four studio musicians (Danny Kortchmar, Leland Skar, Russ Kunkel, and Craig Doerge) could do when they put their talents together. That album worked quite well. The point of the group's second effort seems to be to show what each of the members can do alone, and the result sort of falls apart. Forward Motion is really four separate solo albums combined into one. When they get together on the title song and "Smilin' Ed", for example, they show their skills off quite well. But when they solo (as on "Get Down, Piltdown," Sklar's bass solo which sounds similar to what you might hear if you were riding a subway and leaned your ear too close to the conductor's booth) they are too often trying to push their dexterity and skill over musical achievement. We all know they can play better than most people in the business, but on this record they try too hard to show it and the enjoyable music they played on their first album is left behind. One drum solo or a two-and-a-half minute subway ride is enough to distract from the very enjoyable moments.

HISTORY OF THE GRATEFUL DEAD, Vol. 1, (Bear's Choice)—The Grateful Dead (Warner Brothers). Try to avoid this one. It was recorded live at the Fillmore in 1970 as if the group doesn't already have enough live material on the market. If this is a history of the group, then we might as well forget about them. The entire album is sloppy and boring, and their 18-minute version of "Smokestack Lightnin' " is probably the worst dirge they've ever recorded. This is their latest album for Warners before they go into selling their albums without corporate assistance. Or so they say. Talk for several years has been about the time they go into the record-selling business themselves to sell what they make and make what they want, so that no one would get ripped-off by the record companies. But this live "history" is about the biggest rip-off ever, and I have serious doubts about the sincerity of their claim of future goals.

---Tom Priddy

Day of Celebration

The Columbia Chapter of the National Organization for Women will sponsor a "Day of Celebration" on August 25 at the St. Andrews Park off Broad River Rd. The day will be to commemorate the ratification of the 19th Amendment to the Constitution, concerning women's suffrage.

State NOW President Pat Calliar of Spartanburg will be in Columbia next week to discuss the problems of women in South Carolina with local women and on local television and radio programs. The festival on Saturday the 25th will include a men's bake sale, a crafts exhibition and sale, a rummage sale and a bar-b-que dinner. Tickets for the dinner may be obtained from Deborah Sanders at 798-0982 or at the Record Bar at Dutch Square. For more information on the celebration, contact Jan Jordan at 256-7077.